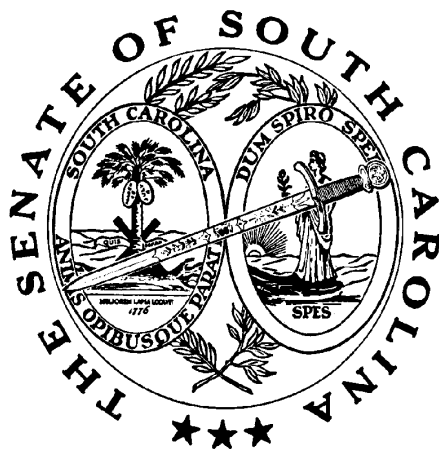


NO. 1

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

TUESDAY, JANUARY 13, 2009

Tuesday, January 13, 2009
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The General Assembly of the State of South Carolina, begun and holden at Columbia on the second Tuesday in January, being the 13th day of the month, two thousand and nine.

Pursuant to the provisions of the Constitution, the members of the Senate assembled this day in the Senate Chamber at 12 o'clock Noon.

The Senate was called to order by the PRESIDENT, the Honorable André Bauer.

The proceedings were opened with a devotion by the Chaplain, the Reverend Dr. James I. St. John of Columbia, S.C., as follows:

Psalm 46 reminds us that:

“God is our refuge and strength, a very present help in trouble. Therefore, we will not fear, though the earth should change, though the mountains shake in the heart of the sea; though its waters roar and foam, though the mountains tremble with its tumult.”

(Psalm 46:1-3)

Friends, join me as we bow in prayer:

Gracious, loving God, as this 118th Session of the Senate of South Carolina gets underway today, we freely admit to our unsettledness in the face of the difficult, challenging times we find ourselves living in. We pray, Lord, that You grant each Senator and every staff member the strength and the wisdom which clearly will be required to help them as they guide our State through these gray, cloudy days. Bless each of these leaders as they seek to carry out their responsibilities conscientiously and thoughtfully. And enable them, O God, to work closely together as they labor for the common good of the people of this State we all love. In Your blessed name we pray, dear Lord. Amen.

COMMUNICATIONS RECEIVED

Office of the Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201
December 2, 2008

Mr. Jeffrey S. Gossett
Clerk of the Senate

TUESDAY, JANUARY 13, 2009

State House
Columbia, SC 29201

Dear Mr. Gossett:

The State Election Commission has certified to this office that the attached list of candidates received the greatest number of votes cast for the State Senate in the General Election held November 4, 2008.

The following Senators are hereby certified as the duly and properly elected members of the South Carolina State Senate.

Sincerely,
/s/ Mark Hammond
Secretary of State

**SENATE MEMBERS
2008 Election Results**

District

- 1 Thomas C. Alexander
- 2 Larry A. Martin
- 3 Kevin L. Bryant
- 4 William H. O'Dell
- 5 Phillip W. Shoopman
- 6 Michael L. Fair
- 7 Ralph Anderson
- 8 David L. Thomas
- 9 Daniel B. Verdin III
- 10 Floyd Nicholson
- 11 Glenn G. Reese
- 12 Lee Bright
- 13 Shane R. Martin
- 14 Harvey S. Peeler
- 15 Robert W. Hayes
- 16 J. Michael "Mick" Mulvaney
- 17 Creighton B. Coleman
- 18 Ronnie W. Cromer
- 19 John L. Scott, Jr.
- 20 John E. Courson
- 21 Darrell Jackson
- 22 Joel Lourie
- 23 John M. Knotts, Jr.
- 24 W. Greg Ryberg
- 25 A. Shane Massey

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26 Nikki G. Setzler
27 Vincent A. Sheheen
28 Dick F. Elliott
29 Gerald Malloy
30 Kent M. Williams
31 Hugh K. Leatherman, Sr.
32 John Yancey McGill
33 Luke A. Rankin
34 Raymond E. Cleary III
35 Phil P. Leventis
36 John C. Land III
37 Lawrence K. Grooms
38 Michael T. Rose
39 John W. Matthews, Jr.
40 C. Bradley Hutto
41 Glenn F. McConnell
42 Robert Ford
43 George E. Campsen III
44 Paul G. Campbell, Jr.
45 Clementa C. Pinckney
46 Protest Pending

Office of the Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201
December 29, 2008

Mr. Jeffrey S. Gossett
Clerk of the Senate
State House
Columbia, SC 29201

Dear Mr. Gossett:

The State Election Commission has certified to this office that Thomas C. Davis received the greatest number of votes cast for the State Senate, District 46 in the General Election held November 4, 2008.

The following Senator is hereby certified as the duly and properly elected member of the South Carolina State Senate.

District 46 Thomas C. Davis

Sincerely,

[SJ]

TUESDAY, JANUARY 13, 2009

/s/ Mark Hammond
Secretary of State

**Administration of Oath of Office
Senators Sworn In**

The Senators presented themselves at the Bar and the Oath of Office was administered to them by the PRESIDENT.

Election of the PRESIDENT *PRO TEMPORE*

Senator MARTIN moved that the Senate proceed to the election of the PRESIDENT *Pro Tempore* pursuant to Article IV, Section 9 of the South Carolina Constitution.

Senator THOMAS seconded the motion.

The PRESIDENT announced that nominations for the PRESIDENT *Pro Tempore* were in order.

Senator PEELER nominated Senator McCONNELL as PRESIDENT *Pro Tempore*.

Senator LAND seconded the nomination.

Senator MARTIN moved that the nominations be closed and that Senator McCONNELL be elected PRESIDENT *Pro Tempore* by acclamation.

Senator Glenn F. McCONNELL was elected PRESIDENT *Pro Tempore* by acclamation.

Remarks by Senator McCONNELL

Senator McCONNELL, with unanimous consent, addressed remarks to the Senate.

Motion Adopted

Senator McCONNELL asked unanimous consent to make a motion that the Senate proceed to the Election of Senate Officers *en banc* and the administration of the Oaths of Office.

Election of Senate Officers

The Senate proceeded to the election of Officers.

On motion of Senator McCONNELL, with unanimous consent, the following individuals were nominated for the respective positions and elected *en banc*:

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On motion of Senator McCONNELL, with unanimous consent, the name of Mr. Jeffrey S. Gossett was placed in nomination as Clerk; the name of Mr. John O. Wienges was placed in nomination as Reading Clerk; the name of Mr. James R. Melton was placed in nomination as Sergeant-at-Arms; and the name of the Reverend Dr. James I. St. John was placed in nomination as Chaplain.

Senator MARTIN seconded the motion.

The following individuals were elected *en banc* by acclamation:

Clerk	Mr. Jeffrey Stephen Gossett
Reading Clerk	Mr. John Othniel Wienges
Sgt.-at-Arms	Mr. James R. Melton
Chaplain	Reverend Dr. James I. St. John

Administration of the Oath of Office

The PRESIDENT *Pro Tempore*, the Clerk, Reading Clerk, Chaplain and Sergeant-at-Arms presented themselves at the Bar and the oath of office was administered by the PRESIDENT.

Clerk's Appointments

The Clerk announced the following appointments:

Mr. Michael R. Hitchcock	Assistant Clerk
Mrs. Darlene M. Griggs	Administrative Assistant
Mrs. Joyce D. Reid	Administrative Assistant
Mrs. Agnes H. Walker	General Desk Clerk
Mrs. Cynthia C. Aiken	Calendar Clerk
Mrs. Betty Graham	Chief Administrative Assistant to the Clerk of the Senate
Mrs. Beth Dworjanyn	Director of Senate Finance
Miss Alicia Eatmon	Bill Clerk
Ms. Susan H. Edwards	Assistant Bill Clerk

Senator McCONNELL was recognized.

On motion of Senator McCONNELL that pursuant to Article III, Section 12 the Senate would take up consideration of the Rules Resolution.

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CONSIDERATION OF THE ADOPTION OF RULES

INTRODUCTION OF A BILL

The following was introduced:

S. 233 -- Senators L. Martin, McConnell and Peeler: A SENATE RESOLUTION TO ADOPT RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.

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Be it resolved by the Senate that the Rules of the Senate are as follows:

SENATE RULES

RULE 1.

Time of Daily Meeting

A.

The Senate, on the first day of each annual session, shall convene at 12 o'clock noon. Thereafter, the Senate shall meet each legislative day at 12 o'clock noon every Tuesday, 2 o'clock p.m. every Wednesday, and 11 o'clock a.m. every Thursday for statewide matters and on Friday for local matters and uncontested matters which have previously received unanimous consent to be taken up unless otherwise ordered by the Senate. A motion to change the time of daily meeting may be made at any time when a quorum of the Senate is present or not present and must be voted on after no more than five (5) minutes of debate, two and a half (2½) for and two and a half (2½) against. The Senate shall stand adjourned Saturday through Monday unless otherwise ordered by a majority vote of the members present in statewide session.

B.

At various times as he or she deems necessary during the session, the President Pro Tempore is authorized to make a motion to provide for the convening of the Senate in statewide session for the exclusive purpose of the introduction and referral of bills, receipt of communications and committee reports and the reading and passage of local legislation to which all members of an affected delegation have given their consent for the bill to be taken up, and to adjourn immediately thereafter. Any such motion shall provide the specific dates during which the motion shall apply and shall provide that the Senate must convene at 11:00 a.m. and adjourn not later than 12:30

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p.m. on each such day and such motion must be made at least two (2) days prior to the beginning of the period for which it applies.

C.

The President Pro Tempore or his designee, when, in his opinion, it is impractical or dangerous to hold a regularly scheduled session(s) of the Senate, may declare the body adjourned to some other time. Such actions are to be taken only in times of great emergency including, but not limited to, natural disasters, severe weather, and acts of God.

RULE 2.

Quorum

A majority of the total number of Senators qualified shall constitute a quorum.

Quorum Call of the Senate

If at any time during the daily session of the Senate it is ascertained that there is not a quorum present, no business shall be in order except a call of the Senate, an order to send for absentees-(as provided for in Rule 3B), a motion to recede for a fixed period of time or to a time certain, or a motion to adjourn. Each of the foregoing motions shall be of equal standing and none shall have priority over the others.

RULE 3.

Attendance, Duties and Obligations of Senators

A.

Any member or officer of the Senate who shall absent himself or herself from the service of the Senate, without leave of the Senate first obtained, shall forfeit his or her subsistence while so absent. The Clerk shall maintain a record of those members present on each statewide legislative day.

B.

Notwithstanding the provisions of Rule 14 or any other Rule of the Senate, at any time during a session when the presence of absent members is required, the Senate, by majority vote of those present and voting shall authorize the Sergeant-at-Arms to send for the absent members. In case a less number than a quorum of the Senate shall convene, the members present are hereby authorized to send the Sergeant-at-Arms or any person or persons by them authorized for any or all absent members, as the majority of such members present shall agree. This Rule shall apply to the first convention of the Senate each year at the legal time of meeting and to each day of the session after the

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hour to which the Senate stood adjourned has arrived. When provisions of this Rule are invoked then the outer doors of the antechamber shall be secured and any member within the confines of the chamber shall be counted for the purpose of determining a quorum. A motion to invoke or repeal Rule 3B may be made at any time when a quorum of the Senate is present or not present and must be voted on after no more than five (5) minutes of debate, two and a half (2 ½) for and two and a half (2 ½) against.

RULE 4.

Majority and Minority Party: Seating

A.

Prior to the commencement of the session, the members of the Senate in each party shall select a leader of their respective party. The leader of each respective party shall serve as either the Majority or Minority Leader of the Senate. For purposes of these Rules, the majority party shall be the party at the opening of the session who has at least fifty (50) percent of the vote in the Senate plus one. In the event that the membership of the Senate is equally divided, the party affiliation of the President will decide the majority party. The majority party shall be determined at the opening of the session and shall remain the majority party for the duration of these Rules.

Except for meetings to elect the Majority Leader or Minority Leader or to take any other formal action, meetings of party caucuses are exempt from the Freedom of Information Act.

B.

During the opening session after the election of Senators or, in the case of a special election, at a session designated by the President Pro Tempore, the ~~majority party leader~~ Majority Leader shall pick his seat in the Chamber first. The Minority Leader shall then pick his seat in the Chamber on the opposite side. The reading clerk shall then call the roll of the Senate by seniority and each member shall then select a seat in the Chamber. The front two rows on the side of the Chamber selected by the majority leader are reserved for the ~~most senior~~ majority party members; the front two rows on the side of the Chamber selected by the minority leader are reserved for the ~~most senior~~ minority party members.

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RULE 5

Journal of the Senate

The Journal of the Senate shall be prepared and printed daily by the Clerk. Any Senator shall have the right to demand the reading of that portion of the Journal of the previous day containing an error or omission and to move to correct any such errors or omissions after debate of no more than five (5) minutes for and five (5) minutes against. The Clerk must annually compile and publish a permanent Journal of the proceedings of the Senate.

~~In the publication of the results of a roll call vote, the Clerk shall cause an asterisk to be placed in the Journal beside the name of a Senator reported in the Journal as voting on a question who in fact was not present in the Chamber at the time the vote was taken by the Senate. The Clerk shall cause appropriate notation to be placed in the Journal to indicate that an asterisk on a roll call vote means that the Senator beside whose name the asterisk appears was not present in the Chamber at the time the vote on the question was taken.~~

RULE 6.

Which Senator Entitled to Floor

A.

When a Senator desires to speak, he or she shall rise from his or her seat and address the President, and may not proceed until he or she is recognized. When two or more Senators rise from their seats to speak at the same time, the Senator who first addresses the President as determined by the President shall have the floor and the President shall so announce it.

B.

When a Senator raises a question of order, as provided for in Rule 7, the President shall stop all other debate and allow the Senator raising the question to explain the point of order subject only to a superior question of order.

C.

Every Senator, when speaking, shall address the President, standing in his or her place and when finished shall take his or her seat. Senators, when addressing the Senate, may stand at their desk or may go to the podium in the center aisle.

Except as otherwise provided in the Rules of the Senate, no Senator may interrupt the Senator who has been granted the floor without his or her consent. To obtain consent, he or she shall first address the President. If a member wishes to present a question to the Senator who

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has been granted the floor, he or she shall address the President and gain recognition. Once recognized, the member shall ask the President, "Does the Senator yield for a question?" The President shall inquire of the member granted the floor "Does the Senator yield?" If the Senator who holds the floor agrees to yield, the President shall so instruct the Senator who wishes to present the question.

RULE 7

A.

Question of Order

Appeal from President's Decision

If a Senator in speaking, or otherwise, violates the Rules of the Senate, the presiding officer shall, or any member may, by raising a point of order, call him to order; and when a member is called to order by the President or under a point of order, he or she shall sit down and may not proceed without leave of the Senate, unless the President takes the point of order under advisement. The President may call for the Sense of the Senate on any question of order. Every question of order must be decided by the President, without debate, and Senators shall have the right to appeal the decisions of the President to the full Senate. When the decision of the President is appealed, the President Pro Tempore or his or her designee shall preside and the President shall retire from the chamber during the pendency of the appeal and the Senate's debate and action on the motion to appeal. The question before the Senate shall be "Shall the ruling of the President be overridden?" and after not more than thirty (30) minutes, fifteen (15) minutes for and fifteen (15) minutes against, of debate it shall be decided by a majority vote of the membership.

B.

Introduction of Visitors and Guests

When a member wishes to introduce a visitor, guest or family member, he or she shall first gain recognition from the President and shall limit his or her introduction and associated remarks to not more than two minutes.

If a visitor or guest in the Chamber or in the gallery engages in a demonstration of approval or disapproval or creates a disturbance which affects the decorum of the Senate, the Clerk and Sergeant-at-Arms shall take those measures necessary to enforce order.

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C.

Decorum in the Senate

The presiding officer shall maintain proper decorum in the Senate at all times. Members of the Senate are prohibited from eliciting responses of any kind from visitors in the Senate gallery.

The use of cellular phones and pagers is prohibited in the Senate Chamber. Other silent electronic devices may be used only in a manner as not to be disruptive to the Senate. This rule shall be enforced in a manner prescribed by the Operations and Management Committee.

Rule 8.

May Speak Twice in One Debate

No Senator shall speak more than twice in any one debate, on the same day, without leave of the Senate.

Any Senator, who absents himself or herself for three (3) hours or more from the Senate Chamber after due notice that Rule 3(B) has been invoked, or is not present for two quorum roll calls which are called more than two hours apart, forfeits his or her right to speak for more than one hour on any matter pertaining to the Bill being debated on that legislative day, unless granted leave by the Senate to speak for a longer period, or unless such member obtains a leave of absence from the Senate either before or after invocation of the Rule.

RULE 9.

Endorsement of Papers

No Senator shall present any Bill, amendment or other paper, without having first affixed his or her name to such Bill, amendment or other paper. A member who is granted leave to place material on the desks of other members, and who is not the author of or who has not signed the material, shall affix his or her name to a copy of the material and forward that copy to the Clerk prior to distribution of the material. No notice shall be required of a member of his or her intention to introduce a Bill or Resolution. Any member may introduce Bills or Resolutions which shall be received by the Senate staff whether or not the Senate is in session. A member may co-sponsor any Bill or Resolution with the permission of the primary sponsor, ~~provided, that co-sponsors shall not be added after a Bill or Resolution has been introduced.~~ After introduction, a member may, with permission of the primary sponsor, co-sponsor any Bill or Resolution that is in the possession of the Senate by notifying the Clerk. Bills and Resolutions so received shall be periodically referred by the President of the Senate

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to the appropriate committee or committees which may then consider them at such times as the committee meets. Any matter acted upon favorably by any committee may be reported out by the committee when the Senate reconvenes and need not thereafter be sent to any committee but shall then be ready, upon compliance with other Rules of the Senate, for second reading consideration.

The Clerk of the Senate shall establish procedures to notify the Senate membership on a monthly basis of Bills and Resolutions introduced during periods when the Journal is not printed.

All Bills received prior to the first day of the convening or reconvening of the General Assembly shall receive first reading on the first day of the session.

RULE 10.

Committee Reports, How Made

Reports must be separately made on each Bill or Resolution and shall be signed by the Chairman or such Senator as the Chairman may designate.

No Bill or Joint Resolution may be polled out of a Standing Committee until all of the committee members present are notified and polled and a majority of the entire membership of the committee votes in favor of polling the legislation out. The poll results must be certified by the Committee Chairman who must certify that each member of the committee was notified and given an opportunity to vote and a written copy of the results must be given to the Clerk to be published in the Journal.

Notwithstanding the provisions of Rule 33 and unless otherwise ordered by the Senate, when the annual General Appropriation Bill or any reapportionment bill or any Resolution affecting the sine die adjournment date is received by the Senate to be placed on the calendar, it shall be placed in a position under the masthead of the calendar as the first order of business to be taken up each day immediately following the conclusion of the call of the Uncontested Local and Statewide Calendar.

Not later than the first Tuesday in March, the Senate Finance Committee should report to the full Senate the annual Proviso Codification Bill. Notwithstanding the provisions of Rule 24, the Proviso Codification Bill must be composed only of those items that permanently codify a temporary proviso that has been included in the final version of a previous General Appropriations Bill.

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RULE 11.

Writing and Withdrawal of Motions

When a motion is made, with the exception of motions made under Rule 14, if requested by any member, it must be reduced to writing, delivered at the desk, and read before the same is voted up or down; provided, however, that the request to have a motion reduced to writing shall not cause the mover of such motion to lose the floor. Any motion may be withdrawn by the mover at any time prior to being put before the body. Thereafter, it may be withdrawn only with the unanimous consent of the Senate. No motion may be made concerning a matter which has gone out of the possession of the Senate except a motion to recall, and if the same should prevail, the Clerk shall send an appropriate message requesting a return of the matter, and when returned shall be placed in the box.

RULE 12.

Motion to Reconsider

No motion for the reconsideration of any vote shall be in order unless the matter is in the possession of the Senate, nor shall any motion to reconsider be in order unless made within the next two statewide legislative days of the actual session of the Senate thereafter, and by a Senator voting with the prevailing side. Except for procedural motions, a motion to reconsider may be made immediately after the act or motion to which it applies has occurred, during the motion period, during the time between the call of orders of business after the introduction and reference of new Bills and Resolutions, or during the time the bill or resolution is being debated.

RULE 13.

Points of Personal Privilege and Expressions of Personal Interest

Any member may rise to a point of personal privilege provided that a point of personal privilege shall be defined as questions affecting the rights, reputation and conduct of members of the body in their representative capacity.

A point of personal privilege must relate to persons as members of the body or relate to charges against the character of a member which charges, if true, would affect the rights of membership.

A member rising to a point of personal privilege must confine his or her remarks to those matters which concern the member personally and has only the right to defend himself or herself and no other persons.

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All other remarks made by a member shall be regarded as an expression of personal interest and when a member is recognized for an expression of personal interest, such remarks shall in all cases be limited to not more than five (5) minutes.

RULE 14.

Privileged Motions

When a question is under debate, no motion shall be entertained, unless otherwise provided for in the Rules, but

1. To adjourn
2. To adjourn to a date and time certain
3. To recede for a fixed period of time or to a time certain
4. To appeal a decision of the Chair
5. To go into Executive Session
6. To take up order of the day
7. To continue
8. To lay on the table
9. To adjourn debate to a certain day or to adjourn debate
10. To carry over
11. To strike out the enacting clause
12. To commit or recommit
13. To reconsider
14. To amend

which several motions may only be made by the Senator having the floor and shall have precedence in the order in which they are above arranged, and the first ten (10) of which shall be determined without debate. A motion to lay an amendment on the table being agreed to shall not have the effect of disposing of the main question.

Provided, however, when a Bill or any other matter is under debate, a motion to carry over may be made by the Senator having the floor, with such Senator retaining the floor on that Bill or any other matter upon an affirmative vote of twenty-six (26) members of the Senate. Provided, that when a Bill or any other matter is under debate and a motion to carry over is made pursuant to a majority vote of the Rules Committee for a carry over motion, the Senator having the floor shall retain the floor on that Bill or other matter upon a majority vote of those members present and voting. The Rules Committee vote requirement can be fulfilled either at a duly called meeting of the Rules Committee or the Committee may be polled in accordance with Rule 10. A motion to carry over, with the Senator retaining the floor, may be made by the President Pro Tempore at any time.

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No motion to carry over, either by the Senator who has the floor, the President Pro Tempore, or by the Rules Committee as provided herein, shall be in order for any Bill in the status of Interrupted Debate for less than twenty-four (24) hours. The failure of a motion to carry over by an individual Senator, the President Pro Tempore, or by the Rules Committee shall not cause the member who has the floor to lose the floor.

When a motion to adjourn debate is passed, the Bill to which it applies is subject to consideration on the next legislative day that the Senate reaches that order of business. When a motion to adjourn debate to a date certain is passed, the Bill to which it applies is not subject to consideration until the date so specified, if the Senate reaches that order of business. If the Senate does not reach that order of business, the Bill remains in adjourned debate status.

A motion to ratify acts may be made by any Committee Chairman at any time and must receive a majority vote of the membership of the Senate.

At any time and with the Senator who has the floor retaining the floor, the President Pro Tempore or his designee may make a motion to recede for a fixed period of time or to a time certain.

Whenever a member who has been recognized and properly holds the floor makes a motion relating to any business, matter or other question before the Senate, such motion shall require a majority vote of those present and voting unless otherwise provided. If a request is made to repeat or restate any such motion, it shall only be repeated or restated by the member originally making the motion.

RULE 15.

A.

Fixing a Time Certain to Vote

Except for any Reapportionment Bill, the debate on the question of third reading of a Bill or Resolution may be brought to a close by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting, if such Bill or Resolution has been under debate for two (2) hours on the current legislative day. The debate on any other matter pending before the Senate, except as otherwise provided in these Rules, may be brought to a close by a majority of the membership of the Senate after one (1) hour of debate on the current legislative day.

Notwithstanding the provisions of Rule 14 or any other rule, such motion may be made after the time period provided for herein has elapsed and may be made by any member and shall not be subject to

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amendment or debate. Such motion shall include a fixed time for the vote ~~that must be at least fifteen (15) minutes after the motion is made.~~ Any Senator may request a call of the Senate prior to the vote being ordered.

However, notwithstanding the provisions of Rule 14, during the final three (3) statewide legislative days prior to the date set for sine die adjournment, the time periods provided above may be waived by three-fifths (3/5) of the Senators present and voting.

Except as otherwise provided by a motion adopted under the provisions of Section C of this rule, when the time for a vote arrives, as set under this rule, the Senate shall proceed to a consideration (seriatim) of the amendments on the desk and upon disposition of all amendments, proceed immediately to a vote on the main question. Opponents and proponents of an amendment shall be granted an equal amount of time in the discretion of the presiding officer, not to exceed twenty (20) minutes.

Except as otherwise provided by a motion adopted under the provisions of Section C of this rule, when a motion to fix a date or time certain has been agreed to, the Clerk of the Senate, at that time, is prohibited from receiving any future or further amendments to the pending matter unless the Clerk certifies that an amendment is necessary to correct some technical error or omission or conform the language of an amendment to an action of the Senate taken previous to the consideration of the amendment.

B.

Notwithstanding the provisions of Rule 14 or any other Rule of the Senate, when any Reapportionment Bill has been under debate for two statewide legislative days, the President shall immediately recognize any Senator for the purpose of a motion to bring the debate to a close. Upon being made, the President shall at once state the motion and submit to the Senate by a yea and no vote the question:

“Is it the Sense of the Senate that the debate shall be brought to a close?”

And if that question shall be decided in the affirmative by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting, then said measure pending before the Senate, or unfinished business, shall be the unfinished business of the Senate to the exclusion of all other business until disposed of.

Thereafter, no Senator shall be entitled to speak in all, more than one hour on the measure, pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same,

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and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. After no more than forty-six hours of consideration of the measure, motion, or other matter on which cloture has been invoked, the Senate shall proceed, without further debate on any question, to vote on the final disposition thereof to the exclusion of all other matters.

C.

Except for any reapportionment Bill and notwithstanding the provisions of Rule 14, the President Pro Tempore or his or her designee shall have the right to make a motion to establish a schedule for a future date and time for the vote on any Bill or Resolution, which is in the status of Interrupted Debate, Adjourned Debate or Special Order. The motion shall also establish the time when no further amendments may be placed on the desk and the limitations on consideration and debate of amendments and the main questions. Any such motion shall not be subject to amendment or debate and must be adopted by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting and if adopted, then the Bill or Resolution shall be the business of the Senate on the date and time set, to the exclusion of all other matters.

RULE 16.

Vote by Ayes and Noes ~~Vote of Absentees~~ Senators Present Must Vote

~~Unless a roll call of the Senate is ordered or a division is ordered~~
Except as otherwise provided, the decision of the Senate on any question other than unanimous consent shall be taken by all members voting "viva voce" or electronically when a roll call is required, if an electronic voting system is available. When there is a request for a roll call on any question, and it shall be required by five Senators, the question shall be decided by the ayes and noes, and on taking the same, no Senator who is absent when the affirmative and negative have both been put and the result announced by the President, shall be allowed to vote without leave of the Senate, and such vote, when allowed, shall not affect the result and shall be recorded as provided for in Rule 5. Votes on the following matters shall be taken by roll call and the names of the Senators voting shall be recorded in the Journal:

(1) Second reading of Joint Resolutions proposing amendments to the South Carolina Constitution and third reading of such Joint Resolutions that are substantively amended on third reading;

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(2) The question on any act returned from the Governor with his or her objections;

(3) Second reading of the General Appropriations Bill and any other Bill or Resolution authorizing the expenditure of funds and third reading of such Bills and Resolutions that are substantively amended on third reading;

(4) Second reading of any state or congressional reapportionment plan and third reading of any such plan that is substantively amended on third reading;

(5) Second reading of contested Bills and Joint Resolutions and third reading of such Bills and Resolutions that are substantively amended on third reading;

(6) Second reading of any Bill or Resolution that impacts the pay, benefits, or retirement of members of the General Assembly, the Executive Branch, the Judicial Branch, or the provisions of the Ethics Act or the Campaign Finance Act and third reading of such Bills and Resolutions that are substantively amended on third reading;

(7) Second reading of Bills or Resolutions that contain provisions that would create a fee or tax, raise the amount of an existing fee or tax, or reduce an existing fee or tax and third reading of such Bills and Resolutions that are substantively amended on third reading;

(8) Second reading of any Bill or Resolution that has a fiscal impact statement greater than \$10,000 and third reading of such Bills and Resolutions that are substantively amended on third reading;

(9) Adoption of reports of conference committees and free conference committees and the granting of free conference powers;

(10) The question on concurrence or the adoption of a substantive amendment proposed to Bills or Resolutions returned from the House of Representatives; and

(11) Any vote on the main question of a Bill, Joint Resolution, or amendment for which there is a request for a roll call by three (3) Senators and the vote on any other motion for which there is a request for a roll call by five (5) Senators.

~~In taking the ayes and noes, and upon~~ Upon a call of the Senate and unless a division is ordered, the Senators present shall vote alphabetically, unless voting electronically when a roll call is required-~~Under the call of the ayes and noes and~~ every Senator present must give his or her vote ~~one way or the other~~ as aye, no, or abstain unless excused by the Senate. ~~No Senator who is absent when the vote is taken and the result announced by the President shall be allowed to~~

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vote without leave of the Senate. A Senator who is absent from a vote may not be recorded as voting on that matter.

RULE 17.

President to Vote When There is a Tie

When the Senate is equally divided on any question, the Clerk shall take the decision of the President, who may assign the reason of his or her vote.

RULE 18.

A Question May Be Divided

If a question in debate contains several points, any Senator may move to have the same divided and shall state how the division is to be made. Such motion shall be decided by a majority of the Senators present and voting after not more than five (5) minutes of debate. On a motion to strike out and insert it shall not be in order to move for a division of the question; but a rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion to simply strike out prevent a subsequent motion to strike out and insert.

RULE 19.

A.

Standing Committees of the Senate

The Standing Committees of the Senate shall be as follows and shall have jurisdiction over legislation, appointments and other matters which fall within the title or titles of the Code of Laws as are herein below enumerated for each of the Committees:

Agriculture and Natural Resources - Titles 39 (agricultural & food products), 46, 47, 48 (land resources, soil & water conservation, mining, oil & gas, and wetlands), and 49

Banking and Insurance - Titles 29, 34, 35, 37, and 38

Corrections and Penology - Titles 2 (community corrections) and 24

Education - Titles 51, 59, and 60 (school governance & structure at all levels)

Ethics

Finance - Titles 1 (~~matters relating to the~~ State Budget and Control Board~~-only~~), ~~4, 5,~~ through 6 (bonding authority, taxation, finances), 8

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(employment standards, retirement, deferred compensation), 9, 10, 11, and 12

Fish, Game and Forestry - Titles 48 (forestry, & fire protection, ~~sea grants, soil & water conservation, and wetlands~~), 49, 50, and 51

General Committee - Titles 25, 39 (blind persons), 43, 45, and 52
Invitations

Judiciary - Constitution, Titles 1 (~~except for matters relating to the State Budget and Control Board~~), 2, 3, 4 (~~structure & powers~~), 5 through 8, 14 through 23, 26, 27, 28, 30, 32, 33, 36, 39 (business & corporate matters), 42, 44 (drug related offenses), 53, 56 (criminal offenses), 58, 61, ~~and 62 and 63~~

Labor, Commerce and Industry - Titles 6, 13, 31, 39 (chemicals; ~~emeteries~~ & industrial products), 40, and 41, ~~and 45~~

Medical Affairs - Titles 39 (drug products), 40 (health care professionals), 43, 44, and 48 (pollution control, waste management, water & sewer)

Rules - Senate Rules, Joint Rules

Transportation - Titles 54, 55, 56, 57, and 58 (Regional Transportation Authorities and railroads)

Matters shall be referred to the appropriate standing committee ~~in accordance with the jurisdictions hereinabove established. Bills or Resolutions affecting titles with jurisdictions in multiple committees shall be referred to the committee~~ with jurisdiction over the primary subject matter addressed by the Bill or Resolution. If there is any objection to the referral of any bill or resolution to any Standing Committee, the Rules Committee shall hear the same, resolve the issue and report to the Senate within one (1) legislative day its decision which decision may be overruled by a vote of twenty-nine (29) Senators.

The several committees shall have such powers and duties as provided for in these rules. It shall not be in order for any committee to consider any proposed committee amendment (other than a technical, clerical, or conforming amendment) which contains any significant matter not within the jurisdiction of the committee proposing such amendment.

B.

Committee Composition

The membership of the above listed committees shall be as follows: The Committees on Judiciary and Finance shall each have twenty-three (23) members. All other standing Committees except the Committee

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on Ethics and the Committee on Invitations shall have seventeen (17) members. The Committee on Ethics shall be composed of ten (10) members. Of the ten (10) members selecting a seat, five (5) shall be members of the majority party and five (5) shall be members of the minority party. The Committee on Invitations shall be limited to not more than eleven (11) members. The total membership of each Standing Committee shall be composed of members of the two major political parties in proportion to the number of Senators of each of such political parties as nearly as possible and ensuring that the majority party as defined in these Rules contains a majority of the membership within each Standing Committee. For purposes of determining committee composition, percentages shall be rounded as follows: percentages of .49 or below shall be rounded down and percentages of .50 and above shall be rounded up.

Membership on the Judiciary Committee excludes membership on the Finance Committee and vice versa.

Committee seniority shall be determined by tenure within the committee rather than tenure within the Senate. When members with seniority transfer to a new committee, their seniority will be counted ahead of newly-elected Senators.

Where two or more Standing Committees are combined, initial membership on such committee shall be based on tenure within the Senate.

C.

Special Committees

In addition to the above listed Standing Committees, there shall be two (2) Special Committees to be known as the Committee on Interstate Cooperation which shall be composed of five (5) members and the Operations and Management Committee selected by the President Pro Tempore. The Chairman of the Interstate Cooperation Committee and the Operations and Management Committee shall in all cases be the most senior senator of the majority party serving thereon or in his or her absence the next most senior Senator of the majority party serving thereon.

D.

Committee Selections

Members of the Senate shall make their committee selections at the commencement of the session following the election of Senators or in the case of a special election, at such session designated for that purpose by the President Pro Tempore. In the case of a special election, the President Pro Tempore must call a session for the purpose

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of committee selections within three statewide days after a Senator elected in a special election has taken the oath of office.

Members of the Senate may not select more than five (5) Standing Committees. The Committee on Ethics, the Committee on Invitations, the Committee on Interstate Cooperation, and the Operations and Management Committee are not included in this limitation.

For the members to make their Standing Committee selections, the Clerk of the Senate (or if the Clerk has not been elected, the Clerk of the Senate during the preceding General Assembly or an assistant clerk) shall prepare a roll of the Senate listing the members in the order of length of continuous service, beginning with the longest continuous service. Where two or more members have equal continuous service they shall be listed in alphabetical order. The Clerk of the Senate shall also prepare a list of each Standing Committee and the number of seats available to members of each party. The Clerk of the Senate shall then call the roll twice in order of continuous service. Each member, upon his or her name being called during the first call of the roll, shall select four (4) unfilled Standing Committees on which he or she wishes to serve (and shall also select at this same time a seat on ~~each~~ any or all of the Ethics, Invitations and Interstate Cooperation Committees so long as a vacancy exists). Each member must select either the Finance or Judiciary Committee during the first call of the roll.

When the prescribed number of seats provided for a particular party within a Standing Committee has been filled, the President shall announce that the seats available for either the Majority or Minority party are filled. When the roll is called for the second time, it shall be called in reverse order of continuous service and each member upon his or her name being called, may select one additional unfilled Standing Committee on which he or she wishes to serve.

In the event any member is unable to be present for selection of Standing Committees, that member may authorize in writing any member of the Senate to make selections in his or her behalf. This procedure shall be followed on the first day of the session following the election of Senators and at any other session where a newly elected member(s) is seated and the President Pro Tempore has made the designation within the timeframe hereinabove provided. Any Senator who served on a Standing Committee in the session immediately past shall have the right to select such committee, regardless of the Senator's seniority in the Senate, unless the Senator shall elect to be removed from such committee by the choices made by the member

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during the first round of selection of committees or unless the number of seats available to his respective party have already been filled.

Except as otherwise provided herein, in the selection by members of a seat on a Senate Standing Committee, the seniority system from the previous session shall be retained so as to become a part of these rules.

E.

Chairmen of the Standing Committees

In the selection of the Chairman of the Standing Committees, the senior member of the Committee from the majority party ~~as of January 5, 2001~~, in terms of seniority within the Committee, shall be the Chairman of the Standing Committee. The Chairman of the Standing Committee shall serve for the quadrennium concurring with the term of the Senators adopting these Rules. If a vacancy occurs in the Chairmanship of a Standing Committee, then the next most senior member of the majority party ~~as of January 5, 2001~~, shall become Chairman of the Committee for the remainder of the original term. However, a Senator shall serve as Chairman of only one of the Standing Committees, but may chair a Standing Committee and a Special Committee concurrently.

Should any Senator, during his term of office, cease to be a member of the political party of which he was a member at the time of his election, he shall not be deemed, thereby, to have forfeited all Committee memberships to which he may have been elected and shall not waive all seniority within each of the committees of which he or she was member if a majority of the caucus to which the member switches consents to that Senator retaining his seniority within the Committees to which he was a member at the time of his switch. No Senator elected as a Chairman of a Standing Committee at the opening of a session shall lose that Chairmanship even if a Senator switches parties and because of that switch becomes the senior member of the majority party on that Committee.

Each Committee Chairman shall have necessary staff to oversee the operation of the committee and its staff appointed by the Committee Chairman and such Committee counsel, staff assistants, and pages as the Chair of the Committee may deem necessary. The number of positions and salaries of personnel selected pursuant to this provision shall be subject to the approval of the Operations and Management Committee.

The Chair of any Committee may appoint subcommittees to consider a particular bill or resolution or to consider matters relative to a portion of work of the Committee. Such subcommittees shall make

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recommendations to the Committee. The Chair of the full Committee shall name the chairman of the subcommittee who need not be the senior member appointed to the subcommittee. The total membership of a subcommittee shall be composed of members of the two major political parties if practicable. The Chair of the full Committee shall be an ex officio member of all subcommittees and entitled to vote, but shall not be counted as a member for purposes of a quorum.

F.

Operations and Management Committee

The Operations and Management Committee, through the Clerk of the Senate and subject to the Committee's approval, shall oversee the day-to-day operation of the Senate including the allocation of office space between members. The Sergeant-at-Arms shall appoint such number of employees as Deputy Sergeant-at-Arms, subject to the approval of the Operations and Management Committee, as are necessary for the proper transaction of the business of the Senate.

Each Senator, who is not a Committee Chairman, shall hire such number of pages and other employees as is necessary for the proper transaction of their legislative business. The Operations and Management Committee shall determine the number and salary ranges for these positions. All staffing decisions, including the hiring and firing of all staff, unless otherwise provided herein, shall be the sole responsibility of the affected Senator who must ensure that his or her employees follow the policies and procedures of the Operations and Management Committee, which shall be enforced by the Operations and Management Committee. However, if an employee works for more than one Senator, then the decision to hire and fire must be made by both of the affected Senators. If an agreement cannot be reached regarding the hiring and firing of an employee who works for more than one Senator, then the Operations and Management Committee shall arbitrate the dispute and render a decision which decision shall be final.

The Operations and Management Committee shall also oversee the Office of Senate Research which shall provide assistance as requested by Senate members and committees of the Senate. The Operations and Management Committee shall appoint a majority and minority research director and such other research counsel and staff assistants as is necessary for the proper transaction of its business.

G.

Committees of Conference and Free Conference

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Committees of conference and free conference between the two Houses shall be comprised of three members. The chairman of the committee with jurisdiction over the Bill which is the subject of the request for appointment of conference committee shall select one member; the Majority Leader of the Senate shall select one member; and the President Pro Tempore shall select one member. In all cases, the chairman of the committee of conference or free conference shall be chosen by a majority of the appointed conferees.

H.

Committee Meetings

The following schedule shall be the regular meeting times for Standing Committees when the General Assembly is in session. Any additional or special meeting may be called only by individual Committee Chairmen subject to the provisions of the Freedom of Information Act.

Every Tuesday

3:00 p.m. - Finance and Judiciary

1st and 3rd Wednesday

10:00 a.m. - Fish, Game & Forestry

11:00 a.m. - Transportation

2nd and 4th Wednesday

9:00 a.m. - ~~Medical Affairs~~ and General

10:00 a.m. - Education

Agriculture & Natural Resources

11:00 a.m. - Banking & Insurance

1st and 3rd Thursday

9:00 a.m. - Corrections & Penology;

10:00 a.m. - Medical Affairs

2nd and 4th Thursday

9:00 a.m. - Labor, Commerce & Industry

The Rules Committee, Ethics Committee, Interstate Cooperation Committee, and the Invitations Committee shall meet at the call of the Chair. Provided, however, that nothing herein shall prohibit the Chairman of a Standing Committee from canceling a committee meeting. No committee, except the Rules Committee, shall hold a meeting while the Senate is in session without first being granted leave by the Senate.

The above listed dates refer to calendar weeks as opposed to session weeks. The date, time and place of any called meetings shall be

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reported to the Clerk of the Senate who shall post such information in the lobby of the Gressette Senate Office Building and the State House. Notice of regular scheduled meetings, as well as called meetings, shall be posted in accordance with the South Carolina Freedom of Information Act.

Each Standing Committee is responsible for keeping minutes of all meetings of the full committee. The vote total on any matter before the committee shall be recorded in the minutes and a roll call vote must be recorded upon request of five Senators.

RULE 20.

Priority of Business not Debatable

All questions relating to the priority of business to be acted upon shall be settled without debate.

RULE 21.

Bills May Be Recommitted

After commitment and report of a Bill to the Senate, or at any time before its passage it may be recommitted by a motion to recommit which can only be made when the matter is under debate or by unanimous consent or when the Senate is in the Motion Period and such question shall be decided after not more than ten (10) minutes of debate.

RULE 22.

**All Bills Referred to Committees, and to Provide
for Recalling Bills From Committees**

All Bills or Joint Resolutions when first read shall be referred to the appropriate committees. After the expiration of five legislative days from the date of reference, any Bill, or Joint or Concurrent Resolution, except the General Appropriation Bill may be recalled from any committee by a majority vote of the Senators present and voting; before the expiration of five days from the date of reference, any Bill, or Joint or Concurrent Resolution may be recalled from committee by the vote of three-fourths (3/4) of the Senators present and voting.

All Concurrent Resolutions which invite persons to address the General Assembly in joint session shall be referred to the Invitations Committee and shall only be voted on by the Senate after they have been approved by a majority of the members of such committee or the invitation discharged from the Committee by a majority vote. The provisions of this paragraph shall not apply to Concurrent Resolutions

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which invite, in the opinion of the Chairman of the Invitations Committee, persons of national prominence to address the General Assembly. However, such an invitation must be approved by a majority vote of the Senate. The Clerk is authorized to endorse Resolutions expressing congratulatory messages or sympathy without a reading.

RULE 23.

Printing

All Bills and Resolutions when placed on the Calendar shall be printed and made available to the Senators.

RULE 24.

A.

Clauses in Bill Must Be Germane

No clause shall be inserted in a Bill or Resolution unless the same is germane to the Bill or Resolution. In order to be germane, an amendment must be a natural and logical change or expansion directly related to the specific subject of the Bill or Resolution, as defined in the Bill or Resolution, and must not raise any new or independent matter different from the specific subject of the Bill or Resolution. Any perfecting amendment must be germane to both the amendment to be perfected and the underlying Bill or Resolution and must not offer a new proposition or substantially alter the main amendment.

Matter which is germane to the subject of the General Appropriation Bill and any Supplemental Appropriation Bill shall be defined as those things which reasonably, specifically, and inherently directly relate to the raising ~~and~~ or spending of revenue for or in the fiscal year for which the bill applies and do not temporarily or permanently add, amend, or repeal a portion of the general permanent laws of South Carolina. Nothing in this paragraph prohibits the temporary suspension of any permanent law.

The provisions of this rule must be strictly construed.

B.

Vote Requirement for General Permanent Laws Included in

Reports of Conference Committees on Appropriation Bills

Any part, section, or division of a general or supplemental appropriation bill which reasonably, specifically, and inherently directly relate to the raising and spending of revenue for or in the fiscal year which the bill applies or any future years, and which amends,

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adds, or repeals a portion of the general permanent laws of South Carolina that is not otherwise prohibited by the South Carolina Code of Laws may only be included in any conference report or concurred in as a House amendment by a vote of three-fifths (3/5) of the Senators present and voting.

RULE 25.

Bill by Committee

No Bill or Resolution shall be introduced in the name of a Committee except with the approval of two-thirds (2/3) of the members thereof at a duly called meeting of the Committee; and the Chairman of the Committee shall certify thereon that this rule has been complied with.

RULE 26.

A.

**Second and Third Reading of Bills, Recommittal
and Amendments on Third Reading**

After a bill has been called for second reading, the President shall recognize the Bill's primary sponsor and/or the committee or subcommittee chairman with jurisdiction over the bill for brief explanatory comments on the bill. These explanatory comments shall not be counted for the purposes of the time limits specified in Rule 15A. Upon conclusion of the explanatory comments, the Senate immediately shall begin consideration of any amendments on the desk.

If a motion under Rule 15A has been adopted and all amendments on the desk have been considered, the Senate will proceed to a vote on the main question after one (1) hour of debate with thirty (30) minutes for and thirty (30) minutes against.

The final question upon the second reading of every Bill, Resolution, Constitutional Amendment (or motion originating in the Senate), and requiring three readings previous to being passed, shall be, "Shall it pass and be ordered to a third reading?"

B.

Amendments on Third Reading

No amendment shall be received on third reading of a Bill or Resolution, unless three-fifths (3/5) of the Senators present and voting give leave for the amendment to be received. The primary sponsor of an amendment offered on third reading may be recognized for up to three (3) minutes to explain the amendment prior to the vote required

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under this provision being taken. Any amendment offered pursuant to this provision must be in conformance with Rule 24.

C.

Amendments on Third Reading Debatable

Whenever an amendment is received, pursuant to Rule 26B, on a third reading of any Bill, Resolution, or amendment, the same shall be debatable.

D.

Motion to Commit Always in Order

It shall at all times be in order before the final passage of any such Bill, Resolution, Constitutional Amendment, or motion, to move its commitment. Any such motion shall be decided after no more than ten (10) minutes debate, five (5) minutes for and five (5) minutes against. Should such commitment take place, and amendment be reported by the Committee, the said Bill, Resolution, Constitutional Amendment, or motion, shall be again considered and read a second time.

E.

Fiscal Estimate Required Prior to Second Reading

Any Bill or Resolution affecting the expenditure of money by the State shall, prior to receiving second reading, have attached to it in writing such comment of the State Budget Office as may appear appropriate regarding its effect on the finances of the State.

Any Bill or Resolution affecting the expenditure of money by any county, municipality, school district, or special purpose district within the State shall, prior to receiving second reading, have attached to it in writing a statement by the Committee Chairman that the passage of such Bill or Resolution may affect the revenue of counties, municipalities, school districts, or special purpose districts.

Failure to comply with the provisions of this rule does not limit debate on such a Bill or Resolution prior to the question of second reading.

The provisions of this section shall not apply where the exact amount of money to be spent or expended is clearly set out in the Bill or Resolution.

RULE 27.

Presentation of Papers

Senators, when presenting petitions, memorials or reports, or introducing Bills or Resolutions, may make a brief statement on the subject matter of such report, Bill or Resolution as the President in his

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or her discretion shall deem appropriate, or send it to the President, when it shall be read by the Reading Clerk, unless otherwise ordered.

RULE 28.

Message to the House

All messages to the House of Representatives shall be sent by the Clerk, as required by the actions of the Senate.

RULE 29.

The Clerk Charged with Printing

The Clerk shall be charged with the duty of having executed, in a proper and accurate manner, the printing ordered by the Senate or provided in the Rules; provided, however, that notwithstanding any other rule to the contrary, any Resolution which expresses sympathy, congratulations or commendation shall be printed in the Senate Journal by title only unless a member requests that the full text of the Resolution be printed in the Journal.

RULE 30.

All Papers to Be Delivered to Clerk at Close of Session

At the close of every bi-annual session the members of the Senate shall be required to hand in to the Clerk all petitions not reported on, and all papers in any way appertaining to the legislative business of the Senate, that the same may be regularly filed in his or her office.

RULE 31.

Executive Sessions

When considering confidential or executive business the Senate shall be cleared of all persons except the President, the Senators, the Clerk of the Senate, the Reading Clerk, and the Assistant Clerk designated by the Clerk of the Senate, the Sergeant-at-Arms of the Senate and ~~Assistant Sergeant-at-Arms of the Senate~~ such Deputy Sergeants-at-Arms required to ensure the security of the Executive Session.

All appointments made by the Governor and delivered to the Senate shall be referred to such committee of the Senate in accordance with the provisions of Rule 19 which are applicable to the reference of bills. Such appointment shall be considered at the next meeting of such committee or such other time as the committee may determine. No report may be made on an appointment unless and until the committee has held a screening hearing and given the appointee an opportunity to

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appear before the committee. A screening hearing or any portion of a screening hearing, may be held in Executive Session only if allowed pursuant to applicable provisions of law and upon the vote of two-thirds (2/3) of the members of the committee. Any information or material provided to or developed by the committee in an Executive Session and any communications between a Committee Chairman and the appointing authority must be held confidential and only reported to the full Senate in Executive Session. If a committee fails to make a report on an appointment to the full Senate within two (2) weeks after a screening hearing, then the Senate may recall the appointment in Executive Session. Executive Sessions must be held on committee reports on appointments pursuant to applicable provisions of law, unless the Senate agrees to take up any such report in open session.

Before going into Executive Session, the Senate shall vote in open session on the question of whether to go into Executive Session and the reason therefore. When a motion to go into Executive Session is agreed to, the President shall announce publicly the purpose or purposes of the Executive Session as specified by the member making the motion. No final action may be taken by the Senate in the Executive Session on appointments. For the purpose of this Rule, "final action" means a decision by the Senate which constitutes a dispositive act regarding the consideration of an appointment. No vote may be taken on a final action in Executive Session, and the confirmation of appointments must be voted on in open session.

When the Senate is in Executive Session, any member may make a motion to bring the debate to a close in the Executive Session or to rise from the Executive Session and such motions must be decided without debate by a majority of the Senators present and voting. When the Senate rises from an Executive Session and the report of an Executive Session is received by the Senate, the final question on every appointment shall be: "Will the Senate advise and consent to this appointment?" Confirmation of statewide appointments shall be by roll call vote unless otherwise agreed to by unanimous consent.

Messages containing appointments may be published in the Journal when received as other messages, and the fact that an appointment has been made or that it has been confirmed or rejected shall not be regarded as a secret. When considering appointments in Executive Session, all information communicated, or remarks made by a Senator concerning the character or qualifications of the person appointed and any action or failure to act on any appointment(s) required to be kept confidential by applicable provisions of law shall be kept secret.

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Other messages from the Governor pertaining to confidential matters shall be subject to such secrecy or publication as the Senate, in each instance, may order.

Any Member or Officer of the Senate who violates the secrecy provisions of this rule shall be subject to the provisions of Rule 44 of the Senate and Article 5 of Chapter 13 of Title 8 of the Code of Laws.

RULE 32

A.

Order of Business

1. Called to Order by the President
2. Prayer by the Chaplain
3. Pledge of Allegiance
4. Receipt of Communications
5. Introduction and reference of new Bills and Resolutions
6. Call of the Uncontested local Third Reading Calendar
7. Call of the Uncontested local Second Reading Calendar
8. Call of the Uncontested statewide Third Reading Calendar
9. Call of the Uncontested statewide Second Reading Calendar
10. Motion Period
11. Acts returned by the Governor
- ~~12.~~ Reports of Committees of Conference and Free Conference
- ~~13.~~ Bills and Resolutions returned from the House of Representatives
- ~~14.~~ Interrupted Debate
- ~~15.~~ Adjourned Debate
- ~~16.~~ Special Order
- ~~17.~~ Call of the contested statewide Third Reading Calendar
- ~~18.~~ Call of the contested statewide Second Reading Calendar
- ~~19.~~ Call of the contested local Calendar

The order of business above provided for may be varied by vote of two-thirds (2/3) of the Senators present and voting and any order or business already completed may be reverted to in any legislative day by the vote of two-thirds (2/3) of the Senators present and voting. A motion to vary the order of the day shall be in order, prior to, or at the completion of, any orders enumerated above or during the motion period and any such motion shall be decided without debate.

For the order of business designated as Interrupted Debate there shall not be more than one (1) Bill in this status at any one time provided however, that this limitation shall not apply to the General

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Appropriation Bill. For the order of business designated as Adjourned Debate there shall not be more than two (2) Bills in this status at any one time, ~~and for~~ For the order of business designated as Special Order there shall not be more than three (3) Bills on second reading and three (3) Bills on third reading in this status at any one time. Provided that of the ~~three (3)~~ Special Order slots, one (1) shall be reserved exclusively for Bills which are the subject of motions authorized by the Rules Committee and made by the Chairman of the Rules Committee or his or her designee, and provided only one bill may be in this status on any reading at any one time. The Bills occupying the slot reserved for Bills made Special Order on motion of the Rules Committee shall have a unique notation to call such status to the Senate's attention.

When a Bill or Resolution is returned from the House of Representatives or an Act or Joint Resolution is returned by the Governor with his or her objections, the message shall be read and the matter placed on the Calendar for consideration the next legislative day. However, in the final two (2) weeks before the date set for sine die adjournment, this requirement may be waived upon a motion adopted at the time the message is read in which case the matter will be considered when the Senate reaches that order of business. Such motion shall be decided without debate.

B.

Contested Calendar

During the motion period, a motion may be made by the Chairman of the Rules Committee to call any Bill or Resolution, which has been on the calendar for a minimum of six (6) statewide legislative days, from the Contested Calendar. Except for explanatory remarks, such motions shall be determined without debate and by a majority of the Senators present and voting. If agreed to, the Bill or Resolution shall be considered in the ordinary course of business after Special Orders.

However, in the final two (2) weeks before sine die adjournment, a Bill or Resolution, which ~~has been is~~ on the calendar ~~for a minimum of six (6) statewide legislative days~~, may be called from the Contested Calendar by the Rules Committee upon majority vote of the committee and shall be considered in the ordinary course of business after Special Orders.

C.

Bills and Resolutions Returned from the House of Representatives

If a Bill or Resolution is returned from the House of Representatives with amendments that add subject matter that is not germane to the Bill as passed by the Senate pursuant to Rule 24 or that is substantially

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similar to a bill on the Senate Calendar or in a standing committee of the Senate or a subcommittee thereof, the President must, upon recommendation of the President Pro Tempore or his designee, refer the matter to the Standing Committee with jurisdiction over the bill. After which, the Bill or Resolution may be reported to the full Senate to be considered when the Senate next reaches that order of business. All ~~such~~ bills returned from the House of Representatives shall be subject to debate as provided for bills on third reading in Rule 15A. ~~This provision~~ The referral required under this provision may be waived by three-fifths (3/5) of the Senators present and voting upon motion of any Senator at the time of referral and the debate on any such motion is limited to no more than twenty (20) minutes, ten (10) minutes for and ten (10) minutes against.

D.

Reports of Committees of Conference and Free Conference

Notwithstanding the provisions of Rule 32A, during the final three (3) statewide legislative days prior to the date set for Sine Die adjournment, reports of committees of conference and free conference and Sine Die Resolutions shall be in order at any time except when a question of order has been raised, when the Senate is voting on any matter, while ascertaining a quorum, or when a Senator who has been recognized prior thereto makes a motion to adjourn.

RULE 33.

Motion Period and Special Orders

A.

During the motion period, any motion pertaining to the business of the Senate may be made. When a motion is made to set a Bill for Special Order, time shall be given to one proponent and one opponent to speak on the motion. Such remarks shall be limited in the discretion of the presiding officer provided, that no Bill may be taken up during the motion period for the purpose of debating the merits of the Bill or for the purpose of giving the Bill a reading. Procedural motions shall be decided without debate; provided, that procedural motions which present a main question, such as a motion to recall, are subject to not more than ten minutes of debate, five (5) minutes for and five (5) minutes against. The motion period shall not exceed thirty (30) minutes unless extended by a majority of Senators present and voting.

At any time, the President Pro Tempore, after consultation with the Majority Leader and Minority Leader, may make any motion pertaining

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to the business of the Senate and such motion shall be adopted upon approval of three-fourths (3/4) of the membership of the Senate.

B.

During the motion period, all motions to set a Bill or Resolution for Special Order on a subsequent legislative day shall be in order irrespective of whether the Bill or Resolution was given a reading on the legislative day the motion is made. Said motions shall be considered in the priority established by the recognition of the Senators making said motions. Each such motion shall relate to a separate Bill or Resolution. Except for explanatory remarks authorized in subsection A, such motions shall be determined without debate and by two-thirds (2/3) of the Senators present and voting. Provided, that, when authorized in writing by a majority of the members of the Rules Committee and delivered to the desk, a motion to set a bill for Special Order, shall require a vote of a majority of the members present and voting. At no time may the Special Order calendar have more than one Bill which is set for Special Order by a motion authorized by the Rules Committee. During the motion period, no Bill or Resolution can be made a Special Order ahead of Bills or Resolutions which have already been placed in the status of Adjourned Debate.

If a Bill is set for Special Order on a date and/or time certain, such Bill is not subject to consideration at the specified date and/or time unless the Senate reaches that order of business or unless by unanimous consent the Senate has agreed that consideration of the Bill will be to the exclusion of all other matters pending before the Senate at such time.

If a Bill or Resolution is set for Special Order for second reading and subsequently receives such reading, the Bill or Resolution shall remain on Special Order unless otherwise agreed to by three-fifths (3/5) of the Senators present and voting.

RULE 34.

Calendar of Continued Bills

When a Bill or other matter is under debate, a Senator may move to continue it as provided for in Rule 14, to the 2nd, or any special session of the same General Assembly, and if the Senate agrees thereto, the matter shall be continued only to the next regular session unless otherwise specified in the motion. However, if a Bill or other matter has been under extended debate on three (3) consecutive legislative days or has been under debate for five (5) hours on any one legislative

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day, then any Senator may move to continue the matter to the 2nd, or any special session of the same General Assembly.

The Clerk of the Senate shall make up a Calendar of all matters so continued, placing the same thereon in the order in which they have been continued. At the ensuing session the continued matters shall be taken up and considered in the same stage in which they were when so continued. Matters ordered to be placed in the General Orders at the said ensuing session shall be placed there in turn and have priority according to the last order for consideration made upon them, and the Calendar shall be proceeded in as hereinbefore provided.

RULE 35.

**Admission to the Floor of Senate,
Granting the Privilege of the Floor**

A.

No person shall be admitted to the floor of the Senate to that area behind the rail while the Senate is in session or in recess during a session, except as follows: immediate family members of a Senator; Members of the House of Representatives and their Clerk and Sergeant-at-Arms; former members of the Senate and House of Representatives unless such former member is a lobbyist registered pursuant to the provisions of Chapter 17 of Title 2 of the Code of Laws, a candidate or acting on behalf of a candidate for an office elected by the General Assembly or confirmed or elected by either the House or Senate, or a member of the governing body or employee of any state agency or department; the Governor and one member of his or her staff; Constitutional Officers; Justices of the Supreme Court; President and Vice-President of the United States; Members of Congress; Governors of States and Territories; and such Senate staff, Senators' staff, no more than one member of the staff of each Senate Caucus, and Lieutenant Governor's staff, as the President of the Senate or any Member or Officer of the Senate may see fit to invite to a seat behind the rail. Members of the House of Representatives and former Members of the General Assembly, not subject to the foregoing limitations shall be allowed on the floor of the Senate inside the rail.

Not less than two hours prior to the daily convening of the Senate and while the Senate is in session or in recess during a session no person, except those hereinabove enumerated, shall be allowed beyond the outer doors of the Senate antechamber. Persons not hereinabove enumerated may be admitted only to the antechamber when

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accompanying a Senator, but any such person is required to leave immediately upon conclusion of their business.

The Senate Cloakroom is reserved for the exclusive use of the Members of the Senate and their guests.

B.

Any member who wishes to have the privilege of the area of the floor behind the rail granted to a guest shall make such request, in writing, to the Chairman of the Senate Invitations Committee not less than two weeks prior to the date for which the request is made. Upon affirmative vote of three-fourths (3/4) of the membership of the Invitations Committee, the Chairman of the Committee is authorized to grant access to the area behind the rail for a limited period of time and with such conditions and limitations as the Chairman and/or the Committee deems appropriate. If the number of guests involved exceeds more than half of the maximum seating capacity in the area behind the rail, then the committee shall direct that these guests be seated in the balcony. No exceptions to this Rule may be made.

Guests who are granted the privilege of the chamber behind the rail may not approach the podium unless the written request so specifies and the committee approves the request. A motion to grant the privilege of the floor within the rail may only be made by the Chairman or Vice Chair of the Invitations Committee.

Any request to grant the privilege of the floor to address the body from the podium must be made in writing to the Chairman of the Invitations Committee two weeks prior to the date for which the request is made. Upon an affirmative vote of three-fourths (3/4) of the membership of the Invitations Committee to grant such a request, the committee must introduce a Senate Resolution to that effect. The Senate must adopt this Resolution by majority vote of the entire membership.

C.

The use of the Senate Chamber is restricted to statewide sessions of the Senate or such other meetings of the Senate or its committees as the Senate may, by Resolution, authorize. The use of the Senate Chamber for meetings by outside groups or individuals is limited to normal business hours on Monday through Friday and is prohibited unless authorized by a vote of the Senate upon a favorable recommendation of the Senate Invitations Committee. Incidental use or visitation by individuals or group tours may be authorized by the Clerk of the Senate.

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RULE 36.

Places Assigned to Reporters

Reporters of public journals, upon application to the Clerk of the Senate, shall be assigned such places for the execution of their duties as shall not interfere with the convenience of the Senate. Any reporter for whom such application is made shall, in addition to the assigned places, be allowed free access to the Senate Antechamber during the time the Senate convenes and adjourns each legislative day. Reporters of the public journals shall be allowed in the area behind the rail in specific locations as designated by the Clerk of the Senate with the approval of the Operations and Management Committee and are strictly prohibited from conducting interviews whether or not initiated by a member of the media or a member of the Senate. Still photographers, upon application to the Clerk of the Senate, shall be granted access to the floor, behind the rail, for the exclusive purpose of taking photographs and upon completion of their assignment shall retire from the floor.

RULE 37.

**Bills Shall Receive Three Readings--Resolutions
and Committee Reports to Lie on Table One Day**

Every Bill shall receive three different readings, on three different days prior to its being passed, and the President shall give notice of each, whether it be the first, second, or third reading. All Resolutions to which the approval and signature of the Governor may be requisite, or which may grant money out of the contingent or any other fund, shall be treated in all respects, as to introduction and form of proceedings on them in the Senate, as Bills. All other Resolutions and Reports of standing, special, conference and free conference Committees shall lie on the table one statewide legislative day for consideration provided, however, that during the six (6) statewide legislative days preceding the date set for sine die adjournment the one day requirement as to a specific Resolution or report of a committee may be suspended by a vote of three-fifths (3/5) of the Senators present and voting. The provisions of this Rule do not apply to amendments to sine die Resolutions that have been previously approved by the Senate.

First and Third Readings by Title

The first and third readings of each Bill shall be by its title only; provided, that on each second reading the Bill shall be read in full on the motion of any Senator which shall be decided without debate.

RULE 38.

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Precedence of Motion to Refer

A motion to refer to a Standing Committee shall take precedence over a motion to refer to a Special Committee.

RULE 39.

Printed Bills to Be on Desk One Day Before

Second Reading

No Bill or Joint Resolution shall receive a second reading unless printed and made available to the members at least one day previous to such reading.

RULE 40.

Title to Bills to Amend or Repeal Acts

Every Bill or Joint Resolution which shall propose the amendment or repeal of any Section, Chapter or Title of the General Statutes, or of any Act of Assembly or Joint Resolution, shall in its title express the subject matter of such Section, Chapter, Title, Act or Joint Resolution so sought to be amended or repealed. Every Bill or Joint Resolution proposing to amend any Section or Sections of any Chapter of the General Statutes, or of any Act or Joint Resolution, shall give the full text of the said Section or Sections, as it or they would read with such amendment or amendments inserted therein.

RULE 41.

Broadcasts by Television and Radio

Broadcast media shall be allowed in the area behind the rail in specific locations as designated by the Clerk of the Senate with the approval of the Operations and Management Committee and are strictly prohibited from conducting interviews whether or not initiated by a member of the media or a member of the Senate.

The Operations and Management Committee shall have full authority to regulate, supervise and fix times of broadcasts of the proceedings of the Senate by radio or television.

RULE 42.

Jefferson's Manual to Govern Other Cases

In all cases not embraced by the foregoing Rules, the Senate shall be governed by such rules as are laid down in the 1801 version of Jefferson's Manual of Parliamentary Practice.

RULE 43.

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Suspending and Amending Rules

Any Rule of the Senate or severable portion of a rule of the Senate may be suspended by unanimous consent of the Senate. Without unanimous consent one day's previous notice shall be given of a motion to suspend any of the rules or severable portion thereof. A motion to suspend shall require a vote of two-thirds (2/3) of the membership of the Senate.

Any permanent amendment, rescission, or repeal of any of the Senate rules shall require a two-thirds (2/3) vote of the total membership of the Senate. ~~However, from the convening of the 2006 legislative session through the second Thursday of the 2006 legislative session, any permanent amendment, rescission, or repeal of any of the Senate rules may be made by adoption of a Senate Resolution that has been referred to and has received a favorable report from the Rules Committee.~~

The Clerk of the Senate shall have these rules recorded in a permanent book which shall be kept at all times in the Senate Chamber. All permanent changes in the rules after they have been adopted shall be recorded in a Permanent Rule Book and certified by the Clerk of the Senate. These rules shall remain in full force and effect until the conclusion of the terms for Senators or until the Rules are amended, suspended, or repealed by a vote of two-thirds (2/3) of the membership of the Senate prior thereto.

RULE 44.

Ethics Committee Procedures

(a) In the Senate there shall be a Committee on Ethics, consisting of ten (10) members and the committee has the following powers and duties:

(1) To receive complaints or charges from any citizen of this State or member of the Senate against members, officers and employees of the Senate concerning conduct alleged to be unethical. Only sworn written complaints or charges may be considered.

(2) To investigate such complaints and charges and, if warranted, to report the results of such investigation to the Senate with recommendations for further appropriate action as authorized by law.

(3) Upon request of any member, officer, or employee of the Senate to render advisory opinions with regard to legislative ethics when, in their judgment, such opinions would serve the public interest.

(4) To make available annually to the Senate a compilation of the principles set forth in advisory opinions rendered.

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(b) All papers, documents, complaints, charges, requests for advisory opinions, and any other material required to be filed with or received by the committee, and all such documents or materials are to repose in the office of the Clerk of the Senate and as necessary or appropriate are to be handled by the Clerk as strictly confidential unless made public by the committee in a report to the Senate.

All proceedings of the Ethics Committee are strictly confidential and only those actions or decisions of the committee which it authorizes may be disclosed or made public. Provided, that the committee may vote to disclose certain confidential information to the membership of the Senate in Executive Session and the committee must disclose in Executive Session, any confidential final determination or action of the committee as is necessary for the members to make a fully informed vote on any matter before the Senate. If a member or former member of the Senate is appointed to an office which is subject to confirmation by the Senate and an ethics complaint has been filed against such member or former member before the receipt or during the pendency of the appointment, then the Senate may not consider the appointment until the Chairman of the Senate Ethics Committee notifies the Senate and any appropriate Standing Committee, in Executive Session, of the existence and nature of the pending complaint if the committee after a preliminary investigation finds that probable cause exists to support an alleged violation.

The rules of the Ethics Committee shall provide as a matter of right that a certified copy of the sworn statement of charges against a member must be given to him or her within ten days of the time the statement of charges is received by the Chairman of the Ethics Committee and that the accused member has the right to face and cross-examine his or her accusers and the witnesses against him or her at any hearing called by the Ethics Committee. Any hearing on the merits of a complaint is confidential and must be held in Executive Session unless the person charged requests a public hearing in writing. The Ethics Committee must call a hearing if a majority of the Ethics Committee feels that the charges have merit or if the accused formally requests a hearing.

(c) In conjunction with the proceedings specified in Rule 44.1 of the Rules of the Senate, the President Pro Tempore, and the Senate Ethics Committee on behalf of the entire Senate, may receive:

(1) certified copies of any indictment or information for a felony or offense against the election laws filed or returned against any member of the Senate;

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- (2) certified copies of any plea of guilty or nolo contendere to the felony entered by any member of the Senate;
- (3) certified copies of any conviction of a member for the felony;
- (4) certified copies of any opinion, order, or judgment of any court, state or federal, trial or appellate, relating to any of the aforementioned matters;
- (d) no member may vote on the question of his or her expulsion from the Senate.

RULE 44.1

Rules Governing Actions Taken Against a Member

(a) If an indictment, information on a felony, or a warrant for the offenses provided in Sections 7- 13-1920, 7-25-20, 7-25-40, 7-25-50, 7-25-60, 7-25-110, 7-25-120 and 7-25-150 of the Code of Laws, is filed, returned, or issued against a member of the Senate, the member indicted, charged or informed against may request the President Pro Tempore to excuse the member, without pay, from all privileges of membership of the Senate and the President Pro Tempore shall comply with the request.

If the indictment, charge or information is either nol prossed or dismissed, or if the member is found not guilty of the offense or offenses charged or of lesser included offenses, the member may immediately return to active Senate duties and shall be paid all back pay and be restored to all other benefits and privileges retroactive to the date the member was excused.

(b) A member who enters a plea of guilty or nolo contendere to any offense listed in subsection (a) must be suspended by the President Pro Tempore immediately, without a hearing and without pay, from all privileges of membership of the Senate through the remainder of that member's term. In addition, the Senate Ethics Committee shall recommend expulsion of such member to the Senate and the Senate shall vote on the expulsion of such member in accordance with Section 12 of Article III of the Constitution of this State.

(c) A member convicted of any offense listed in subsection (a) must be suspended by the President Pro Tempore immediately, without a hearing and without pay, from all privileges of membership of the Senate pending final appellate action or the end of that member's term, whichever occurs first. If no appeal is taken by the member convicted, or if his or her appeal is denied, or if the final appellate decision is to sustain the conviction and the member's resignation is not forthcoming, the Senate Ethics Committee shall recommend expulsion of such

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member to the Senate, and the Senate shall vote on the member's expulsion in accordance with Section 12 of Article III of the Constitution of this State.

If the final appellate decision is to vacate the conviction and there is a retrial or rehearing, the member is subject to the provisions of subsection (a). If the final appellate decision is to vacate the conviction and no charges for any offense listed in subsection (a) remain against the member, the member is entitled to restitution of back pay and restoration of all other benefits and privileges of membership of the Senate retroactive to the date of suspension.

(d) The action provided for in subsections (a), (b), and (c) of this rule is in addition to other action authorized pursuant to Article III, Section 12 of the Constitution or other Senate rule. Pursuant to the Constitution and except as provided herein, a member may not be disciplined, suspended, or expelled without a vote of the Senate.

RULE 45

**Selection of Senate Members for Committee to
Consider Qualifications of Candidates for
Offices Filled by Election by the
General Assembly**

Whenever an election in Joint Assembly is to be held by the General Assembly to fill offices which require election by the General Assembly, the President of the Senate shall notify the Chairman of the Standing Committee of the Senate which would be most concerned with the office or offices to be filled by the election, which Chairman shall thereupon appoint four Senators from his or her committee to serve on the Joint Senate-House Committee to consider qualifications of candidates to be elected. The total membership of such a Committee shall be composed of members of the two major political parties in proportion to the number of Senators of each of such political parties as nearly as practicable. All appointments to such joint committees shall be recorded in the Senate Journal.

RULE 46.

Recorded Floor Proceedings

The Clerk may record ~~on magnetic tape or similar device~~ the following proceedings on the floor of the Senate:

- (1) Congratulatory remarks;
- (2) Speeches;

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(3) Points of Order and Rulings of the Chair regarding such points and such other proceedings as the Clerk determines necessary.

RULE 47.

Final Date House Legislation May Be Considered

Bills received after May 1 shall be received, read and referred to the appropriate committee but are not eligible to be taken up until the next regular session unless upon the report of such a bill by a committee it receives a two thirds (2/3) vote of the Senators present and voting to be placed on the calendar. Any bill failing to receive the required vote shall be returned to the committee. The committee report on any such bill received after the May 1 deadline shall clearly indicate that the bill had been received after May 1 and is subject to this rule.

A Point of Order to enforce the provisions of this rule shall be valid until the Bill which is the subject of the Point of Order is printed and has been laid on the desks of the members in compliance with Rule 39.

RULE 48.

Invitations

All invitations which are extended to the entire membership of the Senate must be referred to the Committee on Invitations for its consideration. The Senate may not accept any invitations to attend functions (social or otherwise) which are to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. The committee has the duty of determining whether or not the function is to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. Individual Senators may attend functions at any club without being censored or prejudiced in any manner.

The Invitations Committee shall adopt such procedures and requirements as it deems necessary to ensure that persons or organizations who extend invitations to the Senate have fully complied with the provisions of Act 248 of 1991 (The Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended). The committee shall make copies of any such procedure available upon request.

RULE 49.

Condemnatory Resolution

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No Resolution of a condemnatory nature shall be considered by the Senate unless it has been sent to the appropriate committee at least twenty-four (24) hours prior to such consideration.

RULE 50.

Vote Requirements

The question of granting of free conference powers and the question of adoption of a free conference report shall require an affirmative vote of two-thirds (2/3) of the membership of the Senate.

On the question of an act returned from the Governor with his or her objections, the presiding officer shall submit the following question to the Senate:

“Shall the act become law, the veto of the Governor to the contrary notwithstanding?”

And if that question shall be decided in the affirmative by two-thirds (2/3) of the ~~members of the Senate~~ Senators present and voting, then the Governor’s veto is overridden.

RULE 51.

Local Matters

A.

The Clerk of the Senate shall prepare a list for each county of the State the percentage of the population of that county that a Senator represents. For general bills with local application, a Senator’s vote shall be weighted based upon the percentage of the population of the county that the Senator represents. The provisions of Rule 16 do not apply to local matters.

B.

No general bill with local application shall be introduced unless personally signed by a Senator representing the county. No general bill with local application may be moved from the local uncontested calendar to the local contested calendar unless approved by a vote of three-fifths (3/5) of the Senators who represent the county as determined by their weighted voting percentages.

C.

When a general bill of local application is on the uncontested calendar, no further debate shall be allowed on the bill after no more than thirty (30) minutes of debate, fifteen (15) minutes for and fifteen (15) minutes against.

D.

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For purposes of this Rule, when a general bill of local application affects consolidation of school districts or municipalities within a county, then that bill cannot be moved from the local uncontested calendar to the local contested calendar unless approved by a vote of three-fifths (3/5) of the Senators of at least one of the affected school districts or municipalities. Upon motion, the Clerk of the Senate shall prepare a list for each affected school district or municipality the percentage of the population of that school district or municipality that a Senator represents.

E.

Unless all of the affected Senators of a county have agreed to an alternative method, candidates for gubernatorial appointment to local offices shall be considered for confirmation as described below:

Once received by the Senate, local appointments shall be referred to the appropriate county senatorial delegation. The delegation then may report the appointment to the Senate for consideration (1) if the Senators whose combined weighted vote is sixty-five percent or more favor such report or (2) if seventy-five percent of the members of the delegation favor such report.

RULE 52.

Personal Attacks on Senators not Permitted; Executive Session

A.

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

B.

If any Senator, in speaking or otherwise, in the opinion of the President transgresses this Rule the President shall, either on his own motion or at the request of any other Senator, call him to order; and when a Senator shall be called to order he shall immediately take his seat, and may not proceed without leave of the Senate, which if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

C.

Any Senator directed by the President to take his seat, and any Senator requesting the President to require a Senator to take his seat, may appeal from the ruling of the Chair, which appeal shall be open to debate but only after the Senate has proceeded to Executive Session.

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~~RULE 53~~

~~President Pro Tempore Emeritus~~

~~The President Pro Tempore shall appoint a President Pro Tempore Emeritus. The President Pro Tempore Emeritus shall be the immediately preceding President Pro Tempore of the Senate. The President Pro Tempore Emeritus shall be provided appropriate office space and staff if authorized by the Operations and Management Committee.~~

Senator MARTIN explained the Resolution.

Senator THOMAS made a motion to invoke the previous question on the matter of the Rules Resolution.

Senator MARTIN seconded the motion.

The motion was adopted.

Senator MARTIN asked unanimous consent to make a motion to allow the sponsor of each amendment on the Desk to explain the amendment for no more than five minutes.

There was no objection.

Amendment No. 1

Senator LEVENTIS proposed the following Amendment No. 1 (LEVRULES1), which was withdrawn:

Amend the Senate resolution as and if amended, by adding an appropriately numbered part to RULE 19 to read as follows:

/ __. No person may testify to any committee, or subcommittee thereof, unless the testimony is given under oath./

Re-number sections to conform.

Amend title to conform.

Senator LEVENTIS explained the amendment.

On motion of Senator LEVENTIS, with unanimous consent, the amendment was withdrawn.

Amendment No. 2

Senator SHEHEEN proposed the following Amendment No. 2 (233R001.VAS), which was withdrawn:

Amend the Senate resolution as and if amended, by adding subsection (F) to Rule 26 to read:

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/ (F) No Bill or Resolution may receive second reading and no amendment may be adopted that directly or indirectly appropriates money from the State Treasury, or directs an appropriation by a political subdivision of the State, for the primary benefit of an individual, company, association, corporation, or religious or other private education institution, unless the appropriation is to be utilized for a public purpose or benefit.

No Bill or Resolution may receive second reading and no amendment may be adopted that directly or indirectly pledges or loans the credit of the State, or any of its political subdivisions, for the primary benefit of an individual, company, association, corporation, or religious or other private education institution. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

On motion of Senator SHEHEEN, the amendment was withdrawn.

The question then was the adoption of the Resolution.

The Senate Resolution was adopted.

Statement by Senators McCONNELL and LEATHERMAN

We voted to adopt the Senate Rules as drafted because we believe that the organization of the Senate is of preeminent importance so that we can begin to do the work that the people expect and need of us. Thankfully we have done so and added provisions that make our body more transparent and accountable. However, we are concerned with a provision in the Roll Call Rule that allows three Senators to call for a roll call vote on certain matters. Since we are strict constructionists of the Constitution, we would have preferred that the number mirrored the one specified in the Constitution which requires five. The Senate's attorneys have advised us that a lesser number is permissible and that what the Senate has done today is constitutional. However, we feel that we must be consistent in our philosophies that the Constitution be strictly construed and therefore would have preferred that we keep the number at five Senators to request a roll call.

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Motion Adopted

On motion of Senator McCONNELL, with unanimous consent, Senators BRIGHT, COLEMAN, DAVIS, S. MARTIN, MULVANEY, NICHOLSON, ROSE, SCOTT and SHOOPMAN were introduced and granted leave to address the Senate with brief remarks.

Remarks by Senator BRIGHT

Senator BRIGHT addressed brief remarks to the Senate.

Remarks by Senator COLEMAN

Senator COLEMAN addressed brief remarks to the Senate.

Remarks by Senator DAVIS

Senator DAVIS addressed brief remarks to the Senate.

Remarks by Senator S. MARTIN

Senator S. MARTIN addressed brief remarks to the Senate.

Remarks by Senator NICHOLSON

Senator NICHOLSON addressed brief remarks to the Senate.

Remarks by Senator ROSE

Senator ROSE addressed brief remarks to the Senate.

Remarks by Senator SCOTT

Senator SCOTT addressed brief remarks to the Senate.

Remarks to be Printed

On motion of Senator SETZLER, with unanimous consent, the remarks of Senators BRIGHT, COLEMAN, DAVIS, S. MARTIN, NICHOLSON, ROSE and SCOTT were ordered printed in the Journal when received on the Desk.

RECESS

At 1:19 P.M., on motion of Senator McCONNELL, the Senate recessed from business.

At 1:35 P.M., the Senate resumed.

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SEATING SELECTIONS

Pursuant to the Rules, Senator McCONNELL moved that the Senate proceed to the selection of seats.

The Reading Clerk called the seniority roll for the purpose of seating selections as follows:

Seat 1	Sen. McConnell
Seat 2	Sen. Peeler
Seat 3	Sen. Leatherman
Seat 4	Sen. Courson
Seat 5	Sen. Thomas
Seat 6	Sen. O'Dell
Seat 7	Sen. Hayes
Seat 8	Sen. L. Martin
Seat 9	Sen. Alexander
Seat 10	Sen. Cromer
Seat 11	Sen. Cleary
Seat 12	Sen. Campsen
Seat 13	Sen. Fair
Seat 14	Sen. Verdin
Seat 15	Sen. Grooms
Seat 16	Sen. Bryant
Seat 17	Sen. Campbell
Seat 18	Sen. Knotts
Seat 19	Sen. Rose
Seat 20	Sen. S. Martin
Seat 21	Sen. Davis
Seat 22	Sen. Shoopman
Seat 23	Sen. Bright
Seat 24	Sen. Land
Seat 25	Sen. Setzler
Seat 26	Sen. Leventis
Seat 27	Sen. Elliott
Seat 28	Sen. Nicholson
Seat 29	Sen. McGill
Seat 30	Sen. Reese
Seat 31	Sen. Anderson
Seat 32	Sen. Matthews
Seat 33	Sen. Ryberg
Seat 34	Sen. Hutto
Seat 35	Sen. Rankin

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Seat 36 Sen. Coleman
Seat 37 Sen. Williams
Seat 38 Sen. Ford
Seat 39 Sen. Jackson
Seat 40 Sen. Pinckney
Seat 41 Sen. Mulvaney
Seat 42 Sen. Scott
Seat 43 Sen. Malloy
Seat 44 Sen. Sheheen
Seat 45 Sen. Lourie
Seat 46 Sen. Massey

**SELECTION OF COMMITTEES
STANDING COMMITTEES OF THE SENATE**

The Senate proceeded to the selection of committees as follows:

AGRICULTURE AND NATURAL RESOURCES

Verdin, Daniel B., Chairman
Grooms, Larry K.
Leventis, Phil
Matthews, John W., Jr.
McGill, J. Yancey
Hutto, C. Bradley
Elliott, Dick
Knotts, John M. "Jake", Jr.
Bryant, Kevin
Campsen, George E. "Chip", III
Williams, Kent M.
Campbell, Paul
Sheheen, Vincent
Bright, Lee
Davis, Thomas C.
Mulvaney, J. Michael
Rose, Michael T.

BANKING AND INSURANCE

Thomas, David L., Chairman
McConnell, Glenn F.
Setzler, Nikki
Courson, John E.
Matthews, John W., Jr.

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Reese, Glenn G.
Hayes, Robert W., Jr.
Jackson, Darrell
Martin, Larry A.
Rankin, Luke
Alexander, Thomas C.
Cromer, Ronnie W.
Pinckney, Clementa C.
Malloy, Gerald
O'Dell, William
Ford, Robert
Davis, Thomas C.

CORRECTIONS AND PENOLOGY

Fair, Michael L., Chairman
Thomas, David L.
Ford, Robert
Ryberg, W. Greg
Anderson, Ralph
Pinckney, Clementa C.
Williams, Kent M.
Campbell, Paul G., Jr.
Massey, A. Shane
Campsen, George E. "Chip", III
Coleman, Creighton, B.
Martin, Shane R.
Mulvaney, J. Michael
Nicholson, Floyd
Rose, Michael T.
Scott, John L. Jr.
Shoopman, Phillip W.

EDUCATION

Courson, John E., Chairman
Setzler, Nikki
Matthews, John W., Jr.
Hayes, Robert W., Jr.
Rankin, Luke A.
Fair, Michael L.
Peeler, Harvey S., Jr.
Leventis, Phil P.

TUESDAY, JANUARY 13, 2009

Jackson, Darrell
Anderson, Ralph
Ryberg, Greg
Grooms, Larry K.
Martin, Larry A.
Malloy, Gerald
Lourie, Joel
Massey, A. Shane
Davis, Thomas C.

ETHICS

Hayes, Robert, Chairman
Leatherman, Hugh K.
McConnell, Glenn F.
Courson, John E.
Leventis, Phil P.
McGill, J. Yancey
Land, John C., III
Peeler, Harvey S., Jr.
Reese, Glenn G.
Hutto, Brad

FINANCE

Leatherman, Hugh K., Chairman
Land, John C., III
Setzler, Nikki
Leventis, Phil P.
Peeler, Harvey S., Jr.
Thomas, David L.
McGill, J. Yancey
Courson, John E.
Matthews, John W., Jr.
O'Dell, William H.
Reese, Glenn G.
Hayes, Robert W., Jr.
Ryberg, W. Greg
Alexander, Thomas C.
Grooms, Larry K.
Pinckney, Clementa C.
Fair, Michael L.
Verdin, Daniel B.

TUESDAY, JANUARY 13, 2009

Cromer, Ronnie W.
Bryant, Kevin
Elliott, Dick
Jackson, Darrell
Anderson, Ralph

FISH, GAME AND FORESTRY

Cromer, Ronnie W., Chairman
Land, John C., III
McGill, J. Yancey
Elliott, Dick
Hutto, C. Bradley
Campsen, George E. "Chip", III
Knotts, John M. "Jake", Jr.
Fair, Michael L.
Williams, Kent
Campbell, Paul G., Jr.
Grooms, Larry
Verdin, Daniel
Sheheen, Vincent
Coleman, Creighton, B.
Martin, Shane R.
Rose, Michael T.
Shoopman, Phillip W.

GENERAL COMMITTEE

Alexander, Thomas C., Chairman
O'Dell, William H.
Martin, Larry A.
Knotts, John M. "Jake", Jr.
Ford, Robert
Sheheen, Vincent A.
Reese, Glenn G.
Lourie, Joel

TUESDAY, JANUARY 13, 2009

Bryant, Kevin
Hayes, Robert
Jackson, Darrell
Cromer, Ronnie
Cleary, Raymond
Bright, Lee
Coleman, Creighton, B.
Scott, John L. Jr.
Shoopman, Phillip W.

INTERSTATE COOPERATION

Leatherman, Hugh K., Chairman
Setzler, Nikki
McConnell, Glenn F.
Peeler, Harvey S.
Land, John

INVITATIONS

Knotts, John M. “Jake”, Jr., Chairman
Alexander, Thomas C.
O'Dell, William H.
McGill, J. Yancey
Reese, Glenn G.
Elliott, Dick
Ford, Robert
Verdin, Daniel B.
Campsen, George E. “Chip”, III
Cromer, Ronnie W.
Malloy, Gerald

JUDICIARY

McConnell, Glenn F., Chairman
Ford, Robert
Martin, Larry A.
Rankin, Luke
Hutto, C. Bradley
Knotts, John M. “Jake”, Jr.
Malloy, Gerald
Sheheen, Vincent A.
Campsen, George E. “Chip”, III
Cleary, Raymond E., III

TUESDAY, JANUARY 13, 2009

Lourie, Joel
Williams, Kent M.
Campbell, Paul G., Jr.
Massey, A. Shane
Bright, Lee
Coleman, Creighton, B.
Davis, Thomas C.
Martin, Shane R.
Mulvaney, J. Michael
Nicholson, Floyd
Rose, Michael T.
Scott, John L. Jr.
Shoopman, Phillip W.

LABOR, COMMERCE AND INDUSTRY

Ryberg, W. Greg, Chairman
Setzler, Nikki
Leventis, Phil
McConnell, Glenn F.
O'Dell, William H.
Reese, Glenn G.
Ford, Robert
Alexander, Thomas C.
Leatherman, Hugh K.
Bryant, Kevin
Cleary, Raymond
Lourie, Joel
Williams, Kent
Massey, A. Shane
Bright, Lee
Mulvaney, J. Michael
Nicholson, Floyd

MEDICAL AFFAIRS

Peeler, Harvey S., Jr., Chairman
Courson, John E.
Thomas, David L.
Hayes, Robert W., Jr.
Jackson, Darrell
Fair, Michael L.
Hutto, C. Bradley

TUESDAY, JANUARY 13, 2009

Anderson, Ralph
Pinckney, Clementa C.
Verdin, Daniel B.
Cleary, Raymond E., III
Bryant, Kevin
Lourie, Joel
Martin, Shane R.
Mulvaney, J. Michael
Nicholson, Floyd
Scott, John L. Jr.

RULES

Martin, Larry A., Chairman
McConnell, Glenn F.
Reese, Glenn G.
Land, John C., III
Hutto, C. Bradley
Matthews, John W., Jr.
Knotts, John M. "Jake", Jr.
Malloy, Gerald
Cromer, Ronnie W.
Leatherman, Hugh
Elliott, Dick
Massey, A. Shane
Davis, Thomas C.
Martin, Shane R.
Nicholson, Floyd
Rose, Michael T.
Shoopman, Phillip W.

TRANSPORTATION

Grooms, Larry K., Chairman
Ryberg, W. Greg
Land, John C., III
Leatherman, Hugh K.
McGill, J. Yancey
Elliott, Dick
Rankin, Luke
Verdin, Daniel B.
Malloy, Gerald
Pinckney, Clementa

TUESDAY, JANUARY 13, 2009

Campsen, George E. “Chip”, III
Cleary, Raymond E., III
Peeler, Harvey
Anderson, Ralph
Sheheen, Vincent
Campbell, Paul
Bright, Lee

INDIVIDUAL COMMITTEE ASSIGNMENTS OF THE SENATE

ALEXANDER, THOMAS C.

Banking and Insurance
Finance
General, Chairman
Invitations
Labor, Commerce and Industry

ANDERSON, RALPH

Corrections and Penology
Education
Finance
Medical Affairs
Transportation

BRIGHT, LEE

Agriculture & Natural Resources
General
Judiciary
Labor, Commerce & Industry
Transportation

BRYANT, KEVIN

Agriculture and Natural Resources
Finance
General
Labor, Commerce and Industry
Medical Affairs

CAMPBELL, PAUL G., JR.

Agriculture and Natural Resources
Corrections and Penology
Fish, Game and Forestry

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Judiciary
Transportation

CAMPSEN, GEORGE E. "CHIP", III

Agriculture and Natural Resources
Corrections & Penology
Fish, Game and Forestry
Invitations
Judiciary
Transportation

CLEARY, RAYMOND E, III

General
Judiciary
Labor, Commerce & Industry
Medical Affairs
Transportation

COLEMAN, CREIGHTON

Corrections & Penology
Fish, Game & Forestry
General
Judiciary

COURSON, JOHN E.

Banking and Insurance
Education, Chairman
Ethics
Finance
Medical Affairs

CROMER, RONNIE W.

Banking and Insurance
Finance
Fish, Game and Forestry
General
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DAVIS, THOMAS C.

Agriculture & Natural Resources

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Judiciary
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ELLIOTT, DICK

Agriculture and Natural Resources
Finance
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FAIR, MICHAEL L.

Corrections and Penology, Chairman
Education
Finance
Fish, Game and Forestry
Medical Affairs

FORD, ROBERT

Banking & Insurance
Corrections and Penology
General
Invitations
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Labor, Commerce and Industry

GROOMS, LARRY K.

Agriculture and Natural Resources
Education
Finance
Fish, Game & Forestry
Transportation, Chairman

HAYES, ROBERT W., JR.

Banking and Insurance
Education
Ethics, Chairman
Finance
General

TUESDAY, JANUARY 13, 2009

Medical Affairs

HUTTO, C. BRADLEY

Agriculture and Natural Resources

Ethics

Fish, Game and Forestry

Judiciary

Medical Affairs

Rules

JACKSON, DARRELL

Banking and Insurance

Education

Finance

General

Medical Affairs

KNOTTS, JOHN M. "JAKE", JR.

Agriculture and Natural Resources

Fish, Game and Forestry

General

Invitations, Chairman

Judiciary

Rules

LAND, JOHN C., III

Ethics

Finance

Fish, Game and Forestry

Interstate Cooperation

Rules

Transportation

LEATHERMAN, HUGH K.

Ethics

Finance, Chairman

Interstate Cooperation, Chairman

Labor, Commerce and Industry

Rules

Transportation

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LEVENTIS, PHIL

Agriculture and Natural Resources
Education
Ethics
Finance
Labor, Commerce and Industry

LOURIE, JOEL

Education
General
Judiciary
Labor, Commerce & Industry
Medical Affairs

MALLOY, GERALD

Banking and Insurance
Education
Invitations
Judiciary
Rules
Transportation

MARTIN, LARRY A.

Banking and Insurance
Education
General
Judiciary
Rules, Chairman

MARTIN, SHANE

Corrections & Penology
Fish, Game & Forestry
Judiciary
Medical Affairs
Rules

MASSEY, A. SHANE

Corrections and Penology
Education
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Labor, Commerce & Industry

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TUESDAY, JANUARY 13, 2009

Rules

MATTHEWS, JOHN W., JR.

Agriculture and Natural Resources
Banking and Insurance
Education
Finance
Rules

McCONNELL, GLENN F.

Banking and Insurance
Ethics
Interstate Cooperation
Judiciary, Chairman
Labor, Commerce and Industry
Rules

McGILL, J. YANCEY

Agriculture and Natural Resources
Ethics
Finance
Fish, Game and Forestry
Invitations
Transportation

MULVANEY, J. MICHEAL "MICK"

Agriculture & Natural Resources
Corrections & Penology
Judiciary
Labor, Commerce & Industry
Medical Affairs

NICHOLSON, FLOYD

Corrections & Penology
Judiciary
Labor, Commerce & Industry
Medical Affairs
Rules

O'DELL, WILLIAM H.

Banking & Insurance

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Finance
General
Invitations
Labor, Commerce and Industry

PEELER, HARVEY S., JR.

Education
Ethics
Finance
Interstate Cooperation
Medical Affairs, Chairman
Transportation

PINCKNEY, CLEMENTA C.

Banking and Insurance
Corrections and Penology
Finance
Medical Affairs
Transportation

RANKIN, LUKE

Banking and Insurance
Education
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Transportation

REESE, GLENN G.

Banking and Insurance
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Finance
General
Invitations
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Rules

TUESDAY, JANUARY 13, 2009

ROSE, MICHAEL T.

Agriculture & Natural Resources
Corrections & Penology
Fish, Game & Forestry
Judiciary
Rules

RYBERG, W. GREG

Corrections and Penology
Education
Finance
Labor, Commerce and Industry, Chairman
Transportation

SCOTT, JOHN L., JR.

Corrections & Penology
General
Judiciary
Medical Affairs

SETZLER, NIKKI

Banking and Insurance
Education
Finance
Interstate Cooperation
Labor, Commerce and Industry

SHEHEEN, VINCENT A.

Agriculture & Natural Resources
Fish, Game and Forestry
General
Judiciary
Transportation

SHOOPMAN, PHILLIP, W.

Corrections & Penology
Fish, Game & Forestry
General
Judiciary
Rules

TUESDAY, JANUARY 13, 2009

THOMAS, DAVID L.

Banking and Insurance, Chairman
Corrections and Penology
Finance
Medical Affairs

VERDIN, DANIEL B.

Agriculture and Natural Resources, Chairman
Finance
Fish, Game & Forestry
Invitations
Medical Affairs
Transportation

WILLIAMS, KENT M.

Agriculture and Natural Resources
Corrections & Penology
Fish, Game and Forestry
Judiciary
Labor, Commerce & Industry

Motion Adopted

On motion of Senator MATTHEWS, with unanimous consent,
Senator SCOTT elected to not select the Committee on Rules and
Senator MATTHEWS selected the Committee on Rules.

STANDING COMMITTEE CHAIRMEN

Pursuant to Rule 19E, the following members are designated as
Standing Committee Chairmen:

AGRICULTURE AND NATURAL RESOURCES COMMITTEE

Senator Danny Verdin

BANKING AND INSURANCE COMMITTEE

Senator David L. Thomas

CORRECTIONS AND PENOLOGY COMMITTEE

Senator Michael L. Fair

EDUCATION COMMITTEE

Senator John E. Courson

TUESDAY, JANUARY 13, 2009

ETHICS COMMITTEE

Senator Robert W. "Wes" Hayes Jr.

FINANCE COMMITTEE

Senator Hugh K. Leatherman

FISH, GAME AND FORESTRY COMMITTEE

Senator Ronnie Cromer

GENERAL COMMITTEE

Senator Thomas C. Alexander

INTERSTATE COOPERATION COMMITTEE

Senator Hugh K. Leatherman

INVITATIONS COMMITTEE

Senator John "Jake" Knotts, Jr.

JUDICIARY COMMITTEE

Senator Glenn F. McConnell

LABOR, COMMERCE AND INDUSTRY COMMITTEE

Senator W. Greg Ryberg

MEDICAL AFFAIRS COMMITTEE

Senator Harvey S. Peeler

RULES COMMITTEE

Senator Larry A. Martin

TRANSPORTATION COMMITTEE

Senator Lawrence K. "Larry" Grooms

REGULATIONS RECEIVED

The following were received and referred to the appropriate committees for consideration:

Document No. 3197

Agency: Public Service Commission

TUESDAY, JANUARY 13, 2009

Subject: Annual Reporting Requirements for Designated Eligible
Telecommunications Carriers
Received by Lieutenant Governor January 13, 2009
Referred to Judiciary Committee
Legislative Review Expiration May 13, 2009

Document No. 3198
Agency: Department of Health and Environmental Control
Subject: Solid Waste Management: Demonstration-of-Need
Received by Lieutenant Governor January 13, 2009
Referred to Medical Affairs Committee
Legislative Review Expiration May 13, 2009

Document No. 3203
Agency: Public Service Commission
Subject: Regulation Governing Telephone Utilities Offering Regulated
Prepaid Local Exchange Services and Bonds or Other Security
Mechanisms
Received by Lieutenant Governor January 13, 2009
Referred to Judiciary Committee
Legislative Review Expiration May 13, 2009

Document No. 3205
Agency: Department of Insurance
Subject: Tax Credits for Fortification Measures
Received by Lieutenant Governor January 13, 2009
Referred to Banking and Insurance Committee
Legislative Review Expiration May 13, 2009

Document No. 3208
Agency: Department of Public Safety
Subject: Contact Information from Traffic Stops
Received by Lieutenant Governor January 13, 2009
Referred to Transportation Committee
Legislative Review Expiration May 13, 2009

Document No. 3210
Agency: Department of Health and Environmental Control
Subject: Licensing of Onsite Wastewater System Master Contractors
Received by Lieutenant Governor January 13, 2009
Referred to Medical Affairs Committee

TUESDAY, JANUARY 13, 2009

Legislative Review Expiration May 13, 2009

Document No. 3222

Agency: Public Service Commission

Subject: Interruption of Service, Computation of Time, Emergency Procedures,

and Service Between Parties of Record

Received by Lieutenant Governor January 13, 2009

Referred to Judiciary Committee

Legislative Review Expiration May 13, 2009

Document No. 3223

Agency: Public Service Commission

Subject: Adjustment of Bills and Representation

Received by Lieutenant Governor January 13, 2009

Referred to Judiciary Committee

Legislative Review Expiration May 13, 2009

Document No. 3225

Agency: Department of Health and Environmental Control

Subject: Hazardous Waste Management

Received by Lieutenant Governor January 13, 2009

Referred to Medical Affairs Committee

Legislative Review Expiration May 13, 2009

Document No. 3226

Agency: Department of Health and Environmental Control

Subject: X-rays (Title B)

Received by Lieutenant Governor January 13, 2009

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration May 13, 2009

Document No. 4003

Agency: Department of Revenue

Subject: Donors and Goods Given Away for Advertising Purposes

Received by Lieutenant Governor January 13, 2009

Referred to Finance Committee

Legislative Review Expiration May 13, 2009

Document No. 4004

Agency: Department of Revenue

TUESDAY, JANUARY 13, 2009

Subject: Federal Government Construction Contracts
Received by Lieutenant Governor January 13, 2009
Referred to Finance Committee
Legislative Review Expiration May 13, 2009

Document No. 4005
Agency: Department of Revenue
Subject: Deed Recording Fee
Received by Lieutenant Governor January 13, 2009
Referred to Finance Committee
Legislative Review Expiration May 13, 2009

Document No. 4020
Agency: Public Service Commission
SUBJECT: PC&N (Stretcher Vans)
Received by Lieutenant Governor January 13, 2009
Referred to Judiciary Committee
Legislative Review Expiration May 13, 2009

Document No. 4026
Agency: State Board of Education
Subject: Procedures and Standards for Review of Charter School Applications
Received by Lieutenant Governor January 13, 2009
Referred to Education Committee
Legislative Review Expiration May 13, 2009

Document No. 4027
Agency: State Board of Education
Subject: Program for Assisting, Developing, and Evaluating Principal Performance (PADEPP)
Received by Lieutenant Governor January 13, 2009
Referred to Education Committee
Legislative Review Expiration May 13, 2009

Document No. 4028
Agency: State Board of Education
Subject: Charter School Appeals
Received by Lieutenant Governor January 13, 2009
Referred to Education Committee
Legislative Review Expiration May 13, 2009

TUESDAY, JANUARY 13, 2009

Document No. 4029

Agency: State Board of Education

U.S.C. 6301 et seq.

Subject: Assessment Program

Received by Lieutenant Governor January 13, 2009

Referred to Education Committee

Legislative Review Expiration May 13, 2009

Document No. 4035

Agency: Department of Insurance

Subject: Preneed Life Insurance Minimum Standards for Determining Reserve Liabilities and Non-forfeiture Values

Received by Lieutenant Governor January 13, 2009

Referred to Banking and Insurance Committee

Legislative Review Expiration May 13, 2009

REGULATION WITHDRAWN

The following was received:

Document No. 3166

Agency: Department of Transportation

Subject: SCDOT Chief Internal Auditor

Received by Lieutenant Governor January 14, 2008

Referred to Transportation Committee

120 Day Period Tolloed

Permanently Withdrawn November 5, 2008

Doctor of the Day

Senator RANKIN introduced Dr. Rick Schmitt of Myrtle Beach, S.C., Doctor of the Day.

Leave of Absence

At 2:50 P.M., Senator CLEARY requested a leave of absence for Wednesday, January 14, 2009.

Motion Adopted

Senator McCONNELL asked unanimous consent to make a motion that the list of prefiled Bills and Resolutions, a copy of which was sent to each member, be entered in the Journal as having been read and

TUESDAY, JANUARY 13, 2009

referred, as noted, unless any member shall make a motion to refer a Bill to a different committee.

There was no objection and the motion was adopted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1 -- Senators McConnell, Peeler, Leatherman, Sheheen, Rose, Courson, Elliott and Massey: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE X OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE REQUIREMENT FOR THE STATE AND ITS POLITICAL SUBDIVISIONS TO HAVE BUDGET PROCESSES DESIGNED TO KEEP REVENUES AND EXPENDITURES IN BALANCE, THE LIMITATION ON STATE APPROPRIATIONS, AND THE LIMITATIONS ON STATE EMPLOYEES, SO AS TO DELETE THE EXISTING STATE SPENDING LIMITATION AND REQUIRE THE GENERAL ASSEMBLY TO REPLACE IT BY A LAW IMPOSING AN ANNUAL LIMIT ON THE APPROPRIATION OF STATE GENERAL FUND REVENUES BY ADJUSTING SUCH REVENUES BY A ROLLING TEN-YEAR AVERAGE IN ANNUAL CHANGES IN GENERAL FUND REVENUES; TO ALLOW THE CREATION OF A BUDGET STABILIZATION FUND IN THE STATE TREASURY TO WHICH MUST BE CREDITED ALL GENERAL FUND REVENUES IN EXCESS OF THE ANNUAL LIMIT; AND TO PROVIDE BY GENERAL LAW FOR THE APPROPRIATIONS TO WHICH THE LIMIT APPLIES, THE METHOD OF AND SOURCES FOR CALCULATING THE LIMIT; AND TO PROVIDE FOR THE DISBURSEMENTS FROM THE BUDGET STABILIZATION FUND.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 2 -- Senators McConnell, Peeler, Leatherman, Sheheen, Rose, Courson, Elliott and Massey: A BILL TO AMEND SECTION 11-11-410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IMPLEMENTATION OF THE LIMIT ON STATE SPENDING IMPOSED PURSUANT TO SECTION 7(C), ARTICLE X OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, SO AS TO REVISE THIS LIMIT BY IMPOSING AN ANNUAL LIMIT ON

TUESDAY, JANUARY 13, 2009

THE APPROPRIATION OF STATE GENERAL FUND REVENUES BY ADJUSTING SUCH REVENUES BY A ROLLING TEN-YEAR AVERAGE IN ANNUAL CHANGES IN GENERAL FUND REVENUES AND THE CREATION OF A SEPARATE BUDGET STABILIZATION FUND IN THE STATE TREASURY TO WHICH MUST BE CREDITED ALL GENERAL FUND REVENUES IN EXCESS OF THE ANNUAL LIMIT, THE REVENUES OF WHICH MUCH FIRST BE USED TO STABILIZE GENERAL FUND REVENUES AVAILABLE FOR APPROPRIATION, TO DEFINE EMERGENCIES AND TO PROVIDE FOR SUSPENSION OF THIS APPROPRIATIONS LIMIT IN EMERGENCIES, TO PROVIDE THAT A CASH BALANCE IN THE BUDGET STABILIZATION FUND IN EXCESS OF FIFTEEN PERCENT OF GENERAL FUND REVENUES OF THE MOST RECENT COMPLETED FISCAL YEAR MAY BE APPROPRIATED IN SEPARATE LEGISLATION FOR VARIOUS NONRECURRING PURPOSES, AND TO DEFINE SURPLUS GENERAL FUND REVENUES.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 3 -- Senators McConnell, Rose, O'Dell, Bryant, Shoopman, Elliott and S. Martin: A BILL TO AMEND SECTION 1-1-696, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S OFFICIAL LANGUAGE, SO AS TO PROVIDE THAT AFTER JULY 1, 2009, ALL STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE SHALL OFFER ALL SERVICES, PUBLICATIONS, PRINTED, AUDIO AND VIDEO MATERIALS, AND TEST IN AN ENGLISH-ONLY FORMAT, UNLESS OTHERWISE REQUIRED BY FEDERAL LAW OR REGULATION, AND TO PROVIDE EXCEPTIONS.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 4 -- Senators McConnell, Campsen, Rose, Bryant, Elliott and Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA TEACHER PROTECTION ACT OF 2009", BY ADDING SECTION 59-25-900, SO AS TO PROVIDE THAT A TEACHER MAY BRING A CIVIL ACTION AGAINST A STUDENT WHO COMMITS A

TUESDAY, JANUARY 13, 2009

CRIMINAL OFFENSE AGAINST THE TEACHER IF THE OFFENSE OCCURS ON SCHOOL GROUNDS OR AT A SCHOOL-RELATED EVENT, OR IF THE OFFENSE IS DIRECTLY RELATED TO THE TEACHER'S PROFESSIONAL RESPONSIBILITIES, AND TO PROVIDE THAT NO TEACHER HAS CIVIL LIABILITY TO A STUDENT OR TO A PARTY ACTING IN THE INTEREST OF THE STUDENT FOR AN ACT OR OMISSION BY THE TEACHER THAT OCCURS WHILE THE TEACHER IS ACTING ON BEHALF OF THE SCHOOL; AND TO AMEND SECTION 16-3-612, RELATING TO THE OFFENSE OF A STUDENT COMMITTING ASSAULT AND BATTERY AGAINST A PERSON AFFILIATED WITH A SCHOOL IN AN OFFICIAL CAPACITY, SO AS TO REDEFINE INTO THREE OFFENSES WITH SEPARATE PENALTIES FOR EACH, INCLUDING ESTABLISHING THE MOST SERIOUS OFFENSE AS A FELONY.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 5 -- Senators McConnell, Campsen and Elliott: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 15, ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE RIGHT OF BAIL, SO AS TO AUTHORIZE THE DENIAL OF BAIL TO A PERSON WHO IS RELEASED ON BAIL PENDING TRIAL AND WHOSE BAIL IS REVOKED OR FORFEITED FOR VIOLATING A CONDITION OF RELEASE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 6 -- Senators McConnell, Campsen, Rose and Elliott: A BILL TO AMEND SECTION 17-15-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATTERS TO BE CONSIDERED IN DETERMINING CONDITIONS OF RELEASE, SO AS TO PROVIDE THAT A PERSON WHO IS RELEASED ON BAIL PENDING TRIAL, AND IS SUBSEQUENTLY CHARGED WITH A VIOLENT OFFENSE, SHALL BE DENIED BAIL WHEN THE PROSECUTOR PROVES BY A PREPONDERANCE OF THE EVIDENCE THAT NO CONDITION OR COMBINATION OF CONDITIONS REASONABLY ASSURES THE SAFETY OF ANY

TUESDAY, JANUARY 13, 2009

OTHER PERSON OR THE SAFETY OF THE COMMUNITY IF THE PERSON IS RELEASED; AND TO AMEND SECTION 22-5-510, RELATING TO BOND HEARINGS IN MAGISTRATES COURTS, SO AS TO REQUIRE THAT PENDING CHARGES AGAINST A PERSON REQUESTING BAIL SHALL BE CONSIDERED BY THE MAGISTRATE IN DETERMINING IF BAIL IS GRANTED OR DENIED.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 7 -- Senators McConnell and Elliott: A BILL TO AMEND CHAPTER 1, TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FELONIES AND MISDEMEANORS, BY ADDING SECTION 16-1-60, SO AS TO INCLUDE MANUFACTURING, DISTRIBUTING, OR POSSESSION WITH THE INTENT TO DISTRIBUTE A CONTROLLED SUBSTANCE AND MANUFACTURING, DISTRIBUTING, OR POSSESSION WITH THE INTENT TO DISTRIBUTE METHAMPHETAMINE, COCAINE BASE, AND OTHER CONTROLLED SUBSTANCES AS VIOLENT CRIMES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 8 -- Senators McConnell, Rose, Elliott and Massey: A BILL TO AMEND CHAPTER 4, TITLE 58, CODE OF LAWS OF SOUTH CAROLINA, RELATING TO THE OFFICE OF REGULATORY STAFF, BY ADDING SECTION 58-4-140 SO AS TO CREATE A NON-PROFIT ENTITY NAMED OPERATION EMPOWERED IN ORDER TO PROVIDE FINANCIAL ASSISTANCE TO LOW-INCOME HOUSEHOLDS TO IMPLEMENT ENERGY EFFICIENCY AND CONSERVATION MEASURES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 9 -- Senators McConnell, Leventis, Rose, Elliott, Massey and Peeler: A BILL TO AMEND CHAPTER 52, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENERGY EFFICIENCY, BY ADDING ARTICLE 12, SO AS TO ESTABLISH

TUESDAY, JANUARY 13, 2009

ENERGY EFFICIENCY AND RENEWABLE ENERGY GOALS FOR STATE GOVERNMENT, TO DIRECT STATE AGENCIES TO PROCURE ENERGY EFFICIENT PRODUCTS, AND TO DIRECT EVERY STATE AGENCY HEAD TO REQUIRE THE REPLACEMENT OF ALL INCANDESCENT LIGHT BULBS WITH COMPACT FLUORESCENT LIGHT BULBS IN EACH STATE AGENCY BY JULY 1, 2011.

I:\s-jud\bill\mcconnell\jud0021.nc.docx

Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 10 -- Senators McConnell, Leventis, Rose, Elliott, Massey and Peeler: A BILL TO AMEND CHAPTER 6, TITLE 12, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE INCOME TAX CREDITS, BY ADDING SECTION 12-6-3588, SO AS TO ALLOW A STATE INCOME TAX CREDIT EQUAL TO TWENTY PERCENT OF THE CREDIT ALLOWED AGAINST A TAXPAYER'S FEDERAL INCOME TAX LIABILITY FOR QUALIFIED EXPENDITURES ON PHOTOVOLTAIC, SOLAR, AND FUEL CELL PROPERTY; AND TO AMEND SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO INCLUDE AN EXEMPTION FOR THE PURCHASE OF MACHINERY, MACHINE TOOLS, AND ANY PART THEREOF THAT IS USED IN THE PRODUCTION OF ELECTRICITY FROM A RENEWABLE ENERGY SOURCE.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 11 -- Senators Peeler, Cromer, Massey, Bryant, Fair, Ryberg, Hayes, Campbell, Mulvaney, Rose, Rankin, Davis, Courson, Thomas, Alexander, Cleary, Bright, Campsen, Shoopman, S. Martin, Sheheen and Elliott: A BILL TO ENACT THE "SPENDING ACCOUNTABILITY ACT OF 2009"; AND TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-7-125 SO AS TO REQUIRE CERTAIN BILLS AND JOINT RESOLUTIONS TO RECEIVE A RECORDED ROLL CALL VOTE AT VARIOUS STAGES OF THEIR PASSAGE BY THE HOUSE OF REPRESENTATIVES AND THE SENATE.

TUESDAY, JANUARY 13, 2009

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 12 -- Senators Leatherman, Alexander, O'Dell, Cleary, Leventis and Elliott: A BILL TO ESTABLISH THE SOUTH CAROLINA TAXATION REALIGNMENT COMMISSION, TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES, TO PROVIDE THAT THE COMMISSION MUST CONDUCT A COMPREHENSIVE STUDY OF THE STATE'S TAX SYSTEM AND SUBMIT A REPORT OF ITS RECOMMENDED CHANGES TO FURTHER THE GOAL OF MAINTAINING AND ENHANCING THE STATE AS AN OPTIMUM COMPETITOR IN THE EFFORT TO ATTRACT BUSINESSES AND INDIVIDUALS TO LOCATE, LIVE, WORK, AND INVEST IN THE STATE, AND TO PROVIDE FOR PROCEDURES GOVERNING THE CONSIDERATION OF LEGISLATION RESULTING FROM THE COMMISSION'S RECOMMENDATIONS.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 13 -- Senators Leatherman and Elliott: A BILL TO AMEND SECTION 56-3-910 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE FEES, TO PROVIDE THAT FEES BE PLACED IN THE STATE HIGHWAY ACCOUNT OF THE TRANSPORTATION INFRASTRUCTURE BANK INSTEAD OF THE DEPARTMENT OF TRANSPORTATION.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 14 -- Senators Courson, Peeler, Land, Setzler, Leatherman, Leventis, Matthews, Thomas, McGill and Elliott: A SENATE RESOLUTION TO AUTHORIZE THE COMMISSIONING OF A PORTRAIT OF THE HONORABLE GLENN FANT McCONNELL OF CHARLESTON TO BE PLACED IN THE SENATE CHAMBER, PRESIDENT PRO TEMPORE OF THE SENATE, LONGTIME AND BELOVED SENATOR FROM THE FORTY-FIRST SENATORIAL

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DISTRICT, A LOYAL AND COMPASSIONATE PUBLIC SERVANT, AND A DISTINGUISHED STATESMAN.

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Prefiled and referred to the Committee on Operations and Management.

The Senate Resolution was introduced and referred to the Committee on Operations and Management.

S. 15 -- Senators Lourie, Elliott and Massey: A BILL TO AMEND CHAPTER 39 OF TITLE 34 OF THE 1976 CODE, RELATING TO DEFERRED PRESENTMENT SERVICES, BY ADDING SECTION 34-39-175 TO PROVIDE THAT THE CONSUMER FINANCE DIVISION OF THE BOARD OF FINANCIAL INSTITUTIONS MUST IMPLEMENT A DEFERRED PRESENTMENT LOAN TRACKING DATABASE AND TO PROVIDE FOR INFORMATION REQUIRED IN THE DATABASE; TO ADD SECTION 34-39-270 TO LIMIT CONSUMERS TO ONE DEFERRED PRESENTMENT LOAN AT A TIME, TO PROVIDE FOR A SEVEN DAY WAITING PERIOD BETWEEN LOANS, TO REQUIRE DEFERRED PRESENTMENT PROVIDERS TO VERIFY A CONSUMERS ELIGIBILITY FOR A LOAN PRIOR TO ENTERING A DEFERRED PRESENTMENT TRANSACTION, TO PROVIDE FOR THE PROCESS TO DETERMINE ELIGIBILITY; TO ADD SECTION 34-39-280 TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES A CONSUMER MAY UTILIZE A PAYMENT PLAN TO SATISFY AN OUTSTANDING LOAN, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A PAYMENT PLAN MAY BE USED, AND THE REQUIREMENTS FOR A PAYMENT PLAN; TO ADD SECTION 34-39-290 TO PROVIDE THAT THE BOARD MUST MAKE ANNUAL REPORTS AND TO PROVIDE FOR THE CONTENTS OF THOSE REPORTS; TO AMEND SECTION 34-39-130 TO PROVIDE FOR THE APPLICABILITY OF CHAPTER 39 OF TITLE 34; TO AMEND SECTION 34-39-150 TO PROVIDE THAT THE APPLICATION FEE FOR NEW LICENSES AND LICENSE RENEWAL FEES ARE INCREASED FROM TWO HUNDRED FIFTY DOLLARS TO FIVE HUNDRED DOLLARS; TO AMEND SECTION 34-39-180 TO PROVIDE FOR A MAXIMUM LOAN AMOUNT BASED UPON THE CONSUMER'S GROSS INCOME OR FIVE HUNDRED DOLLARS, TO PROVIDE FOR CONSUMER WARNING STATEMENTS, TO PROVIDE THAT DEFERRED PRESENTMENT

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PROVIDERS MAY NOT ENTER INTO A LOAN WITH A CONSUMER SATISFYING ANOTHER LOAN PURSUANT TO AN EXTENDED PAYMENT PLAN, AND TO PROVIDE THAT THE BOARD MUST DEVELOP A FORM TO BE USED BY DEFERRED PRESENTMENT PROVIDERS TO CALCULATE THE MAXIMUM AMOUNT THAT MAY BE LENT TO A CONSUMER; TO AMEND SECTION 34-39-200 TO PROVIDE ADDITIONAL LIMITATIONS ON THE ACTIVITIES OF LICENSED DEFERRED PRESENTMENT PROVIDERS; TO AMEND CHAPTER 39 OF TITLE 34 BY ADDING SECTION 39-34-205 TO PLACE ON-PREMISES ADVERTISING LIMITATIONS; AND TO AMEND SECTION 34-39-170 TO PROVIDE THAT CONSUMERS AND DEFERRED PRESENTMENT PROVIDERS MAY NOT ENTER INTO AGREEMENTS THAT ALLOW FOR AUTOMATIC DEBITED LOAN PAYMENTS.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

S. 16 -- Senators Lourie and Elliott: A BILL TO AMEND SECTION 59-39-100 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF UNIFORM DIPLOMAS, TO REQUIRE THE ISSUANCE OF HIGH SCHOOL DIPLOMAS FOR QUALIFYING VETERANS WHO SERVED IN THE UNITED STATES ARMED FORCES DURING A WAR PERIOD AS DEFINED BY THE UNITED STATES DEPARTMENT OF VETERAN AFFAIRS.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

S. 17 -- Senator Leventis: A BILL TO AMEND SECTION 43-5-1190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR FAMILY INDEPENDENCE BENEFITS, SO AS TO CLARIFY THE CONDITIONS FOR RECEIVING SUCH BENEFITS WHEN A PERSON IS CONVICTED OF AN ALCOHOL OR DRUG RELATED OFFENSES AND TO PROVIDE THAT THE PERSON IS ELIGIBLE FOR SUCH BENEFITS IF THE PERSON IS NOT CONVICTED OF ANOTHER ALCOHOL OR DRUG-RELATED OFFENSE IN THE YEAR FOLLOWING RELEASE FROM INCARCERATION.

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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 18 -- Senator Elliott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF DISTINGUISHED SERVICE MEDAL SPECIAL LICENSE PLATES.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 19 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-116-45 SO AS TO PROVIDE THAT EVERY POLICE/SECURITY DEPARTMENT SHALL IMPLEMENT POLICIES AND PROCEDURES TO GOVERN THEIR OPERATIONS; TO AMEND SECTIONS 59-116-10, 59-116-20, 59-116-30, 59-116-50, 59-116-60, 59-116-80, 59-116-100, AND 59-116-120, RELATING TO THE ESTABLISHMENT, POWERS, AND OPERATION OF CAMPUS SECURITY DEPARTMENTS, SO AS TO REVISE THE DEFINITION OF THE TERMS "CAMPUS" AND "CAMPUS POLICE OFFICER", AND TO DEFINE THE TERM "CAMPUS SECURITY OFFICER", TO MAKE TECHNICAL CHANGES, TO REVISE THE JURISDICTIONAL BOUNDARY OF A CONSTABLE AND SECURITY OFFICER, AND TO REVISE THE MARKINGS THAT MAY APPEAR ON A CAMPUS POLICE OFFICER'S VEHICLE AND TO PROVIDE FOR THE USE OF CAMPUS UNMARKED VEHICLES; AND TO REPEAL SECTION 59-116-70, RELATING TO THE POSTING OF A BOND BY A CAMPUS POLICE OFFICER BEFORE THE ASSUMPTION OF THEIR DUTIES.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

S. 20 -- Senators Fair and Shoopman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO PROVIDE THAT A PERSON APPLYING FOR A LICENSE TO SELL BEER AND WINE OR

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ALCOHOLIC LIQUORS MUST BE A RESIDENT OF THE STATE FOR ONE YEAR; BY ADDING SECTION 61-4-290 SO AS TO STATE THAT THE SHERIFF OR CHIEF OF POLICE OF THE APPROPRIATE MUNICIPALITY OR COUNTY MAY MAKE A RECOMMENDATION IN WRITING FOR DENIAL OF A BEER AND WINE OR ALCOHOLIC LIQUORS LICENSE; TO AMEND SECTIONS 61-2-135 AND 61-2-136, RELATING TO RETAINING AN ALCOHOLIC LIQUOR OR BEER AND WINE LICENSE WHEN A BUSINESS IS RELOCATED, AND TO AMEND SECTION 61-2-160, AS AMENDED, RELATING TO THE ISSUANCE, RENEWAL, OR TRANSFER OF A LICENSE WHEN DELINQUENT TAXES ARE DUE, ALL SO AS TO PROVIDE THAT THE APPROPRIATE PERSON MUST REAPPLY FOR THE LICENSE, THAT RENEWAL OR TRANSFER OF A LICENSE IS NOT AUTOMATIC, AND THE PROVISIONS OF THE APPLICATION PROCESS MUST BE COMPLIED WITH INCLUDING ALLOWING PERSONS AND MUNICIPAL AND COUNTY GOVERNING BODIES TO PROTEST THE ISSUANCE OF THE LICENSE; TO AMEND SECTION 61-4-520, AS AMENDED, RELATING TO REQUIREMENTS FOR RETAIL BEER AND WINE PERMITS, SO AS TO REQUIRE THE DEPARTMENT TO SEND AN AUTHORIZED REPRESENTATIVE TO THE PREMISES TO ASCERTAIN WHETHER THE LOCATION IS UNSUITABLE DUE TO THE PROXIMITY TO RESIDENCES, SCHOOLS, PLAYGROUNDS, OR CHURCHES BEFORE A FINAL DETERMINATION ON WHETHER TO ISSUE A LICENSE IS MADE, TO INCREASE THE SIZE REQUIREMENTS OF THE REQUIRED NOTICE WHICH MUST BE DISPLAYED AT THE SITE OF THE PROPOSED BUSINESS, AND TO PROVIDE THE REQUIRED LEGAL NOTICE MUST BE IN THE NEWSPAPER WITH THE LARGEST CIRCULATION; TO AMEND SECTION 61-6-20, AS AMENDED, RELATING TO DEFINITIONS FOR THE PURPOSES OF THE ALCOHOLIC BEVERAGE CONTROL ACT, SO AS TO REVISE THE DEFINITION OF "ALCOHOLIC LIQUORS" OR "ALCOHOLIC BEVERAGES" SO AS TO INCLUDE CERTAIN FLAVORED ALCOHOLIC BEVERAGES; TO AMEND SECTION 61-6-120, AS AMENDED, RELATING TO PROHIBITIONS ON ISSUING ALCOHOLIC LIQUOR LICENSES TO PLACES OF BUSINESS WITHIN A CERTAIN PROXIMITY TO A CHURCH, SCHOOL, OR PLAYGROUND, SO AS TO AMEND THE METHOD OF COMPUTATION, REMOVE THE EXEMPTION

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FOR RENEWAL OF LICENSES, AND TO REQUIRE THE DEPARTMENT TO SEND AN AUTHORIZED REPRESENTATIVE TO THE PREMISES TO MAKE THE APPROPRIATE MEASUREMENTS BEFORE A FINAL DETERMINATION ON WHETHER TO ISSUE A LICENSE IS MADE; TO AMEND SECTION 61-6-180, AS AMENDED, RELATING TO NOTICE OF APPLICATION FOR AN ALCOHOLIC LIQUOR LICENSE, SO AS TO INCREASE THE SIZE REQUIREMENTS OF THE REQUIRED NOTICE WHICH MUST BE DISPLAYED AT THE SITE OF THE PROPOSED BUSINESS, TO APPLY THE NOTICE REQUIREMENTS TO RENEWALS OF LICENSES, AND TO PROVIDE THE REQUIRED LEGAL NOTICE MUST BE IN THE NEWSPAPER WITH THE LARGEST CIRCULATION; TO AMEND SECTION 61-6-1820, AS AMENDED, RELATING TO NOTICE FOR A LICENSE TO SELL MINIBOTTLES, SO AS TO INCREASE THE SIZE REQUIREMENTS OF THE REQUIRED NOTICE WHICH MUST BE DISPLAYED AT THE SITE OF THE PROPOSED BUSINESS AND TO PROVIDE THE REQUIRED LEGAL NOTICE MUST BE IN THE NEWSPAPER WITH THE LARGEST CIRCULATION; TO AMEND SECTIONS 61-4-525, 61-6-185, AND 61-6-1825, ALL AS AMENDED, ALL RELATING TO PROTESTS OF CERTAIN BEER AND WINE, ALCOHOLIC LIQUORS, AND MINIBOTTLE LICENSES, ALL SO AS TO AUTHORIZE MUNICIPAL AND COUNTY GOVERNING BODIES TO PROTEST THE ISSUANCE OF THE LICENSES UNDER SIMILAR CIRCUMSTANCES AS PERSONS ALREADY AUTHORIZED TO FILE A PROTEST AND TO ALLOW PERSONS TO COME BEFORE THE APPROPRIATE GOVERNING BODY TO ASK THE BODY TO FILE A WRITTEN PROTEST.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 21 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 47 TO TITLE 15 SO AS TO ENACT THE "UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT", TO PROVIDE AN EFFICIENT AND INEXPENSIVE PROCEDURE FOR LITIGANTS TO DEPOSE OUT-OF-STATE INDIVIDUALS AND FOR THE PRODUCTION OF DISCOVERABLE MATERIALS THAT MAY BE LOCATED OUT OF STATE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 22 -- Senators Jackson and Leventis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION SHALL ESTABLISH A PROCEDURE BY WHICH A QUALIFIED ELECTOR MAY CAST HIS BALLOT IN PERSON WITHOUT EXCUSE DURING AN EARLY VOTING PERIOD; TO ESTABLISH EARLY VOTING CENTERS TO ALLOW A REGISTERED COUNTY RESIDENT TO VOTE OUTSIDE THEIR PRECINCT; TO PROVIDE FOR THE ESTABLISHMENT OF EARLY VOTING LOCATIONS, AND REQUIRE THESE LOCATIONS AND TIMES TO BE IN COMPLIANCE WITH THE PROVISIONS OF SECTION 30-4-80; AND TO AMEND SECTION 7-15-330, AS AMENDED, RELATING TO THE TIME OF APPLICATION FOR AN ABSENTEE BALLOT, SO AS TO DELETE THE AUTHORIZATION THAT AN APPLICATION MAY BE REQUESTED IN PERSON FOUR DAYS BEFORE AN ELECTION AND AUTHORIZING AN ABSENTEE APPLICATION MAY BE REQUESTED ONLY ON THE DAY BEFORE THE ELECTION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 23 -- Senator Jackson: A BILL TO AMEND ARTICLE 47, CHAPTER 5, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHILD PASSENGER RESTRAINT SYSTEMS, SO AS TO DELETE THE TERM "THIS ARTICLE" AND REPLACE IT WITH "SECTION 56-5-6410", AND TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OR OCCUPANT OF A MOTOR VEHICLE TO SMOKE A TOBACCO PRODUCT WHILE A CHILD WHO IS LESS THAN TEN YEARS OLD IS ALSO AN OCCUPANT OF THE MOTOR VEHICLE, AND TO PROVIDE A PENALTY.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

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S. 24 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-3845 SO AS TO PROVIDE THAT A MUNICIPAL GOVERNING BODY BY ORDINANCE MAY RESTRICT THE OPERATOR OF A MOTOR VEHICLE WHO IS COMMUNICATING WITH ANOTHER PERSON BY WAY OF A WIRELESS COMMUNICATION DEVICE TO THE USE OF A HANDS-FREE DEVICE WHILE THE VEHICLE IS IN MOTION.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 25 -- Senator Jackson: A BILL TO AMEND SECTION 1-11-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES WHOSE EMPLOYEES AND RETIREES ARE ALLOWED TO PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO UPDATE REFERENCES RELATING TO THE SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS AND TO ALLOW EMPLOYEES OF BERKELEY CITIZENS, BABCOCK CENTER, CHARLES LEA CENTER, AND TRI DEVELOPMENT CENTER OF AIKEN COUNTY TO PARTICIPATE IN THESE PLANS; AND TO AMEND SECTION 9-1-10, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO UPDATE REFERENCES RELATING TO THE SOUTH CAROLINA DEPARTMENT OF DISABILITIES IN THE DEFINITIONS OF "EMPLOYEE" AND "EMPLOYER" AND TO INCLUDE WITHIN THOSE DEFINITIONS BERKELEY CITIZENS, BABCOCK CENTER, CHARLES LEA CENTER, AND TRI DEVELOPMENT CENTER OF AIKEN COUNTY.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 26 -- Senators Jackson and Rose: A JOINT RESOLUTION TO ESTABLISH THE STROKE SYSTEMS OF CARE STUDY COMMITTEE TO DEVELOP RECOMMENDATIONS FOR A STATE STROKE SYSTEMS OF CARE COMPREHENSIVE SERVICE DELIVERY SYSTEM AND TO PROVIDE FOR THE

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MEMBERSHIP, DUTIES, AND RESPONSIBILITIES OF THE STUDY COMMITTEE.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 27 -- Senator Jackson: A BILL TO AMEND SECTION 44-7-170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FACILITIES EXEMPT FROM THE CERTIFICATE OF NEED REQUIREMENTS AND HEALTH FACILITY LICENSURE, SO AS TO EXEMPT FROM THE CERTIFICATE OF NEED REQUIREMENTS A FACILITY USED ONLY FOR ENDOSCOPY IF THE FACILITY IS LOCATED IN A PRIMARY CARE HEALTH PROFESSIONAL SHORTAGE AREA (HPSA).

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 28 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-10-35 SO AS TO PROVIDE THAT THE MINIMUM WAGE IN THIS STATE IS THE GREATER VALUE OF EITHER SIX DOLLARS AND FIFTEEN CENTS OR THE MINIMUM WAGE SET BY THE FAIR LABOR STANDARDS ACT; TO AMEND SECTION 6-1-130, RELATING TO THE SCOPE OF AUTHORITY TO SET MINIMUM WAGE, SO AS TO PROVIDE THAT A POLITICAL SUBDIVISION OF THIS STATE MAY NOT REQUIRE A MINIMUM WAGE THAT EXCEEDS THE ONE PROVIDED IN SECTION 41-10-35; TO AMEND SECTION 41-21-70, RELATING TO TERMS OF APPRENTICESHIP AGREEMENTS, SO AS TO PROVIDE THAT AN APPRENTICE MUST BE PAID THE MINIMUM WAGE PROVIDED IN SECTION 41-10-35; TO AMEND SECTION 44-22-160, RELATING TO THERAPEUTIC PATIENT EMPLOYMENT, SO AS TO PROVIDE THAT A PATIENT EMPLOYEE MUST BE PAID THE MINIMUM WAGE PROVIDED IN 41-10-35; AND TO AMEND SECTIONS 53-1-100 AND 53-1-110, RELATING TO SUNDAY WORK IN MACHINE SHOPS AND SUNDAY WORK IN MANUFACTURING OR FINISHING OF TEXTILE PRODUCTS, RESPECTIVELY, BOTH SO AS TO PROVIDE THAT SUNDAY

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WORK MUST BE COMPENSATED AT A RATE NO LESS THAN THE MINIMUM WAGE PROVIDED IN SECTION 41-10-35.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 29 -- Senator Jackson: A BILL TO AMEND SECTION 59-65-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATORY SCHOOL ATTENDANCE, SO AS TO PROVIDE THAT A CHILD MUST ATTEND SCHOOL UNTIL HE ATTAINS THE AGE OF EIGHTEEN, GRADUATES FROM HIGH SCHOOL, OR RECEIVES A HIGH SCHOOL EQUIVALENCY DIPLOMA; TO AMEND SECTION 63-19-20, RELATING TO DEFINITIONS, SO AS TO DEFINE "CHILD" FOR THE PURPOSES OF TRUANCY; TO AMEND SECTION 63-19-1030, RELATING TO PREHEARING INQUIRY, SO AS TO INCLUDE TITLES FOR TRUANCY PETITIONS; TO AMEND SECTION 63-19-1420, RELATING TO DRIVERS LICENSE SUSPENSION AND RESTRICTION, SO AS TO PROVIDE FOR THE COURT SUSPENSION OR RESTRICTION OF A CHILD'S DRIVERS LICENSE UPON THE FINDING OF VIOLATION OF COURT TRUANCY ORDER; AND TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO PROVIDE FOR THE COMMITMENT OF A CHILD WHO VIOLATES A COURT ORDER TO ATTEND SCHOOL.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

S. 30 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 52 TO TITLE 27 SO AS TO ENACT THE SOUTH CAROLINA HOMEOWNERS' ASSOCIATION ACT.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 31 -- Senator Jackson: A BILL TO AMEND SECTION 44-95-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

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THE CLEAN INDOOR AIR ACT, INCLUDING EXCEPTIONS TO PLACES WHERE SMOKING IS PROHIBITED, SO AS TO DELETE PROVISIONS ALLOWING SMOKING IN CERTAIN PRIVATE OFFICES AND TEACHER LOUNGES AT SCHOOLS; AND BY ADDING SECTION 59-1-485 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SMOKE OR POSSESS LIGHTED SMOKING MATERIAL IN OUTDOOR AREAS OF PUBLIC SCHOOLS AND PRESCHOOLS AND TO PROVIDE A PENALTY.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 32 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 35-1-615 SO AS TO IMPOSE A ONE-DOLLAR SURCHARGE ON A SALE OF A SECURITY BY A BROKER-DEALER REGISTERED IN THIS STATE, AND TO PROVIDE THAT THE MONIES DERIVED FROM THE SURCHARGE BE DEPOSITED IN THE GENERAL FUND.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

S. 33 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-21-435 SO AS TO PROVIDE THAT CERTAIN SEX OFFENDERS WHO ARE SERVING A PROBATIONARY SENTENCE MUST BE PLACED UNDER GLOBAL POSITIONING SYSTEM SATELLITE SURVEILLANCE CONTINUOUSLY FOR THE DURATION OF THEIR PROBATIONARY SENTENCES BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 34 -- Senator Ford: A BILL TO AMEND SECTION 24-13-1530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CORRECTIONAL PROGRAMS FOR WHICH HOME DETENTION MAY BE SUBSTITUTED, SO AS TO PROVIDE THAT A COURT

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MAY SENTENCE CERTAIN OFFENDERS TO A HOME DETENTION PROGRAM AS AN ALTERNATIVE TO INCARCERATION.

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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 35 -- Senator Ford: A JOINT RESOLUTION TO ACKNOWLEDGE THE FUNDAMENTAL INJUSTICES, CRUELTY, AND INHUMANITY INFLECTED UPON THE VICTIMS OF THE "ORANGEBURG MASSACRE" IN LIGHT OF GOVERNOR MARK SANFORD'S RECENT FORMAL APOLOGY FOR THE MEMBERS OF THE SOUTH CAROLINA HIGHWAY PATROL WHO GUNNED DOWN THREE STUDENTS AND INJURED TWENTY-SEVEN OTHER STUDENTS DURING THIS INCIDENT, AND TO CREATE A COMMISSION TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO COMPENSATE THE VICTIMS AND FAMILIES OF THE VICTIMS OF THIS TRAGEDY.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 36 -- Senator Ford: A BILL TO AMEND SECTIONS 44-74-20 AND 44-74-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE CERTIFICATION AND SCOPE OF PRACTICE OF RADIOLOGIC TECHNOLOGISTS, SO AS TO ALSO PROVIDE FOR THE CERTIFICATION AND SCOPE OF PRACTICE OF RADIOLOGIST ASSISTANTS; TO AMEND SECTION 44-74-40, RELATING TO QUALIFICATIONS TO BE CERTIFIED AS A RADIOLOGIC TECHNOLOGIST, SO AS TO ALSO PROVIDE QUALIFICATIONS FOR AN INITIAL CERTIFICATION AS A RADIOLOGIST ASSISTANT AND FOR LICENSURE AS A RADIOLOGIST ASSISTANT; AND TO AMEND SECTION 44-74-60, RELATING TO THE SOUTH CAROLINA RADIATION QUALITY STANDARDS ASSOCIATION BOARD, ITS MEMBERS, POWERS, AND DUTIES, SO AS TO PROVIDE FOR TWO RADIOLOGIST ASSISTANT MEMBERS ON THE BOARD, TO PROVIDE THAT MEMBERS MUST BE APPOINTED BY THE DIRECTOR OF THE

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DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL UPON THE RECOMMENDATION OF ENUMERATED RADIOLOGIC HEALTH PROFESSIONAL ORGANIZATIONS, AND TO PROVIDE THAT MEMBERS SHALL SERVE TERMS OF FOUR YEARS.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 37 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-295 SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST NOT ISSUE A LICENSE OR PERMIT FOR THE OPERATION OF AN INDUSTRIAL FACILITY IF THE FACILITY IS WITHIN THREE AND ONE HALF MILES OF A RESIDENCE; TO PROVIDE THAT THE DEPARTMENT MAY ISSUE A CEASE AND DESIST ORDER AND OTHER SANCTIONS TO AN EXISTING INDUSTRIAL FACILITY WITHIN THREE AND ONE HALF MILES OF A RESIDENCE IF THE FACILITY HAS OR HAS HAD AN INCIDENT WITHIN THE PAST FIFTEEN YEARS IN WHICH THE OPERATION OF THE FACILITY OR ANY PROCESS WITHIN THE FACILITY OR IN WHICH THE RELEASE OF INDUSTRIAL WASTE OR A BY-PRODUCT FROM THE FACILITY CAUSED OR CONTRIBUTED TO HUMAN INJURY OR DEATH.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 38 -- Senator Ford: A BILL TO AMEND CHAPTER 95 OF TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "CLEAN INDOOR AIR ACT OF 1990", SO AS TO EXTEND THE SMOKING PROHIBITION PROVIDED FOR IN THE ACT TO RESTAURANTS, BARS, LOUNGE AREAS, AND RECREATIONAL FACILITIES; TO SPECIFY THAT SMOKING IS PERMITTED IN PRIVATE HOMES AND AUTOMOBILES, HOME-BASED BUSINESSES, PRIVATE FUNCTIONS IN INDOOR AREAS, HOTEL ROOMS DESIGNATED AS SMOKING ROOMS, SPECIALTY TOBACCO STORES, TOBACCO

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MANUFACTURERS, CIGAR BARS, AND PRIVATE CLUBS AND TO PROVIDE THAT A PROPRIETOR OF AN ESTABLISHMENT HAS THE RIGHT TO PROHIBIT SMOKING IN HIS ESTABLISHMENT WHICH WOULD OTHERWISE BE PERMITTED BY THIS CHAPTER; TO PROVIDE THAT THE POSTING OF DESIGNATED SMOKING AREA SIGNS IS NOT REQUIRED FOR PRIVATE HOMES AND AUTOMOBILES OR HOME-BASED BUSINESSES AND TO PROVIDE AN EXCEPTION; TO DELETE THE MAXIMUM CRIMINAL PENALTY FROM A FINE OF TWENTY-FIVE DOLLARS AND TO PROVIDE A MINIMUM CRIMINAL PENALTY OF A FINE OF NOT LESS THAN FIFTY DOLLARS; TO PROVIDE THAT A PERSON SMOKING IN A RESTAURANT, BAR, OR LOUNGE MUST BE ASKED TO EXTINGUISH ALL LIGHTED TOBACCO PRODUCTS AND IF THE PERSON REFUSES TO DO SO, THE PERSON MUST BE ASKED TO LEAVE THE PREMISES; TO PROHIBIT A PERSON OR EMPLOYER FROM RETALIATING AGAINST ANOTHER PERSON OR AN EMPLOYEE OR CUSTOMER FOR FILING A COMPLAINT FOR OR SEEKING PROSECUTION OF A VIOLATION OF THIS CHAPTER; AND TO PROVIDE THAT THE CLEAN INDOOR AIR ACT MUST NOT BE CONSTRUED TO PERMIT SMOKING WHERE IT IS OTHERWISE PROHIBITED BY REGULATION OF A STATE OR LOCAL AGENCY, INCLUDING A LOCAL ORDINANCE.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 39 -- Senator Ford: A BILL TO AMEND SECTIONS 45-2-20, 45-2-30, AND 45-2-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITING DISCRIMINATION PURSUANT TO THE LODGING ESTABLISHMENT ACT, CONCERNING HOTELS AND OTHER SLEEPING ACCOMMODATIONS, BECAUSE OF RACE, CREED, COLOR, NATIONAL ORIGIN, GENDER, DISABILITY, OR MARITAL STATUS, SO AS TO ALSO PROHIBIT SUCH DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO DEFINE "SEXUAL ORIENTATION" AND "GENDER IDENTITY"; AND TO AMEND SECTION 45-9-10, RELATING TO PROHIBITING DISCRIMINATION IN THE FULL AND EQUAL

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ENJOYMENT OF THE GOODS, SERVICES, FACILITIES, PRIVILEGES, ADVANTAGES AND ACCOMMODATIONS OF ANY PLACE OF PUBLIC ACCOMMODATION BECAUSE OF RACE, COLOR, RELIGION, OR NATIONAL ORIGIN, SO AS TO PROHIBIT SUCH DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO DEFINE "SEXUAL ORIENTATION" AND "GENDER IDENTITY".

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 40 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-65 SO AS TO REQUIRE HEALTH CARE FACILITIES TO ESTABLISH PROTOCOLS ALLOWING A PATIENT TO DESIGNATE AN INDIVIDUAL AS AN AUTHORIZED VISITOR REGARDLESS OF THE BLOOD OR LEGAL RELATIONSHIP OF THE PATIENT TO THE INDIVIDUAL.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 41 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-3-1900 SO AS TO ESTABLISH PENALTIES FOR NONCAPITAL CRIMINAL OFFENSES AGAINST A PERSON THAT WERE MOTIVATED BY HATE, WHICH PERTAINS TO SUCH CRIMES BEING COMMITTED WITH THE INTENT TO COMMIT THE CRIME BECAUSE OF THE ACTUAL OR PERCEIVED RACE, RELIGION, COLOR, NATIONAL ORIGIN, ANCESTRY, AGE, DISABILITY, GENDER, SEXUAL ORIENTATION OR GENDER IDENTITY OF A VICTIM, AND TO DEFINE "AGE", "BASE OFFENSE", "GENDER IDENTITY", "DISABILITY", "MOTIVATED BY HATE", AND "SEXUAL ORIENTATION".

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

TUESDAY, JANUARY 13, 2009

S. 42 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 20-1-18 SO AS TO ENACT THE "CIVIL UNION EQUALITY ACT", TO PROVIDE THAT TWO PERSONS MAY FORM A CIVIL UNION IF THEY ARE OF THE SAME SEX; TO PROVIDE THAT ALL LAWS APPLICABLE TO MARRIAGE APPLY TO CIVIL UNIONS AND THAT THE SAME BENEFITS, PROTECTIONS, RIGHTS, AND RESPONSIBILITIES UNDER THE LAW GRANTED TO SPOUSES IN A MARRIAGE ARE ALSO GRANTED TO THOSE JOINED IN A CIVIL UNION; TO DIRECT THE OFFICE OF VITAL STATISTICS TO KEEP A RECORD OF ALL CIVIL UNIONS FORMED AND THE DISSOLUTION OF SUCH UNIONS; TO PROVIDE THAT THE FAMILY COURT HAS JURISDICTION OVER ALL PROCEEDINGS RELATING TO THE DISSOLUTION OF A CIVIL UNION AND THE SAME RULES AND PROCEDURES THAT APPLY TO THE DISSOLUTION OF A MARRIAGE APPLY TO THE DISSOLUTION OF A CIVIL UNION; AND TO PROVIDE THAT THIS ACT MUST BE CONSTRUED LIBERALLY TO SECURE TO CIVIL UNIONS THE ATTRIBUTES, EFFECTS, BENEFITS, AND PROTECTIONS EQUAL TO THOSE AFFORDED MARRIAGE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 43 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-127-65 SO AS TO PROVIDE THAT BEGINNING JULY 1, 2009, SOUTH CAROLINA STATE UNIVERSITY SHALL ESTABLISH A LAW SCHOOL AND AN UNDERGRADUATE ENGINEERING SCHOOL, TO PROVIDE FOR THE MANNER IN WHICH THE LAW SCHOOL AND ENGINEERING SCHOOL MUST BE ESTABLISHED AND FUNDED, AND TO PROVIDE FOR FACULTY AT THE UNIVERSITY OF SOUTH CAROLINA LAW SCHOOL AND THE COLLEGE OF ENGINEERING OF THE UNIVERSITY OF SOUTH CAROLINA, BOTH IN COLUMBIA, TO TEACH ALSO AT THE COUNTERPART SCHOOLS AT SOUTH CAROLINA STATE UNIVERSITY.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

TUESDAY, JANUARY 13, 2009

S. 44 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-43-395 SO AS TO PROVIDE OFFSHORE EXPLORATION, DRILLING, OR PRODUCTION OF OIL AND GAS IN THE ATLANTIC OCEAN WITHIN THE TERRITORIAL JURISDICTION OF SOUTH CAROLINA CONTINGENT ON THE REMOVAL OF APPLICABLE FEDERAL RESTRICTIONS AND SUBJECT TO THE REQUIREMENTS OF THIS TITLE, AND TO PROVIDE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL EXPEDITE AN APPLICATION FOR A PERMIT FOR OFFSHORE EXPLORATION, DRILLING, OR PRODUCTION.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 45 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 62 TO TITLE 40 SO AS TO ENACT THE "INTERIOR DESIGN CONSUMER PROTECTION ACT"; TO PROVIDE CERTAIN DEFINITIONS; TO REQUIRE A PERSON RENDERING AN INTERIOR DESIGN SERVICE TO REGISTER WITH THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO PROVIDE REQUIREMENTS FOR REGISTRATION AND RENEWAL OF REGISTRATION; AND TO FURTHER PROVIDE FOR THE REGISTRATION AND REGULATION OF INTERIOR DESIGNERS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 46 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-142 SO AS TO PROHIBIT RETAIL FOOD ESTABLISHMENTS FROM PREPARING, SERVING, OR OTHERWISE PROVIDING FOOD CONTAINING TRANS FATS, TO REQUIRE THE DEPARTMENT

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OF HEALTH AND ENVIRONMENTAL CONTROL TO ASCERTAIN THE USE OF TRANS FATS WHEN INSPECTING RETAIL FOOD ESTABLISHMENTS, AND TO PROVIDE A CIVIL FINE FOR VIOLATIONS.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 47 -- Senator Ford: A BILL TO AMEND CHAPTER 39 OF TITLE 34 OF THE 1976 CODE, RELATING TO DEFERRED PRESENTMENT SERVICES, BY ADDING SECTION 34-39-175, TO PROVIDE THAT THE CONSUMER FINANCE DIVISION OF THE BOARD OF FINANCIAL INSTITUTIONS MUST IMPLEMENT A DEFERRED PRESENTMENT LOAN TRACKING DATABASE AND TO PROVIDE FOR THE INFORMATION REQUIRED IN THE DATABASE; TO ADD SECTION 34-39-270, TO PLACE A LIMIT ON THE AMOUNT OF OUTSTANDING PRINCIPAL A BORROWER MAY HAVE, TO PROVIDE FOR A TWO DAY WAITING PERIOD BETWEEN LOANS, TO REQUIRE DEFERRED PRESENTMENT LENDERS TO VERIFY A CONSUMER'S ELIGIBILITY FOR A LOAN PRIOR TO ENTERING INTO A DEFERRED PRESENTMENT TRANSACTION, AND TO PROVIDE FOR THE PROCESS TO DETERMINE ELIGIBILITY; TO ADD SECTION 34-39-280, TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES A BORROWER MAY UTILIZE A PAYMENT PLAN TO SATISFY OUTSTANDING LOANS, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A PAYMENT PLAN MAY BE USED, AND THE REQUIREMENTS FOR A PAYMENT PLAN; TO ADD SECTION 34-39-290, TO PROVIDE THAT THE BOARD MUST MAKE ANNUAL REPORTS AND TO PROVIDE FOR THE CONTENTS OF THE REPORTS; TO AMEND SECTION 34-39-130, TO PROVIDE FOR THE APPLICABILITY OF CHAPTER 39; TO AMEND SECTION 34-39-150 TO PROVIDE THAT THE APPLICATION FEE FOR NEW LICENSES AND THE LICENSE RENEWAL FEES ARE EACH INCREASED FROM TWO HUNDRED FIFTY DOLLARS TO FIVE HUNDRED DOLLARS AND TO PROVIDE THAT HALF OF THE FEES MUST BE CREDITED TO THE ATTORNEY GENERAL'S OFFICE TO ESTABLISH A DIVISION TO ENFORCE THE PROVISIONS OF THIS ACT; TO AMEND SECTION 34-39-180, TO

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PROVIDE FOR A MAXIMUM LOAN AMOUNT THAT MAY NOT EXCEED THE LESSER OF TWENTY PERCENT OF THE BORROWER'S GROSS INCOME DURING THE TERM OF THE LOAN OR FIVE HUNDRED DOLLARS AND TO PROVIDE FOR CONSUMER WARNING STATEMENTS; AND TO AMEND SECTION 34-39-200 TO PROVIDE ADDITIONAL LIMITATIONS ON THE ACTIVITIES OF LICENSED DEFERRED PRESENTMENT PROVIDERS.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

S. 48 -- Senators Ford and Elliott: A BILL TO AMEND CHAPTER 17, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES AGAINST PUBLIC POLICY, BY ADDING SECTION 16-17-750 TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO WEAR PANTS SAGGING MORE THAN THREE INCHES BELOW HIS HIPS; TO PROVIDE FOR PENALTIES FOR VIOLATIONS; TO PROVIDE THAT A VIOLATION IS NOT GROUNDS FOR DENYING, SUSPENDING, OR REVOKING THE VIOLATOR'S PARTICIPATION IN A STATE COLLEGE OR UNIVERSITY FINANCIAL ASSISTANCE PROGRAM; AND TO PROVIDE FOR JURISDICTION TO HEAR A VIOLATION IS VESTED EXCLUSIVELY IN THE MUNICIPAL COURT AND THE MAGISTRATES COURT.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 49 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 111, TITLE 59 SO AS TO EXEMPT A PERSON WHO IS CALLED TO ACTIVE MILITARY DUTY FROM PAYING TUITION TO A PUBLIC INSTITUTION OF HIGHER LEARNING OR A TECHNICAL COLLEGE IN THIS STATE WHEN HE RETURNS FROM SERVING HIS TERM OF ACTIVE DUTY PURSUANT TO CERTAIN CONDITIONS.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

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S. 50 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-143 SO AS TO DEFINE A RETAIL FOOD ESTABLISHMENT, TO REQUIRE A RETAIL FOOD ESTABLISHMENT THAT SELLS FOOD CONTAINING TRANS FAT OR COOKED IN TRANS FAT MUST PROVIDE CERTAIN CONSPICUOUS WARNINGS THAT THE FOOD CONTAINS TRANS FAT OR WAS COOKED IN TRANS FAT, TO PROVIDE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY ADOPT RULES AND REGULATIONS REGARDING THESE WARNINGS; AND TO PROVIDE A PENALTY FOR A VIOLATION.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 51 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-40-810 SO AS TO PROVIDE THE EXECUTION OF A JUDGMENT FOR EJECTMENT MAY NOT OCCUR UNTIL AT LEAST SEVEN DAYS LAPSE FROM THE DATE ON WHICH THE MAGISTRATE ISSUED THE ORDER OR, IF THE JUDGMENT IS STAYED, UNTIL AT LEAST SEVEN DAYS LAPSE FROM THE DATE ON WHICH THE ORDER IS LIFTED, AND DURING THE SEVEN DAY PERIOD THE TENANT MAY REMOVE HIS PERSONAL PROPERTY FROM THE PREMISES WITHOUT INTERFERENCE FROM THE LANDLORD; AND TO AMEND SECTION 27-40-710, RELATING TO REMOVAL OF AN EVICTED TENANT'S PERSONAL PROPERTY FROM THE RENTAL PREMISES, SO AS TO PROVIDE THE PARTY REMOVING THE PERSONAL PROPERTY SHALL RETAIN POSSESSION OF THE PERSONAL PROPERTY FOR THIRTY DAYS, DURING WHICH TIME THE TENANT MAY RECOVER THE PERSONAL PROPERTY.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 52 -- Senator Ford: A BILL TO AMEND SECTION 2-17-110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN ACTS PROHIBITED OF LOBBYISTS,

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SO AS TO PROVIDE A LOBBYIST MAY NOT SERVE ON A LOCAL BOARD OR LOCAL COMMISSION, AND TO PROVIDE A LOBBYIST SERVING ON A LOCAL BOARD OR LOCAL COMMISSION BEFORE JULY 1, 2009, MAY CONTINUE TO SERVE ON THAT BOARD OR COMMISSION UNTIL HIS TERM EXPIRES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 53 -- Senator Ford: A BILL TO REPEAL CHAPTER 7, TITLE 41, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON'S RIGHT TO WORK REGARDLESS OF MEMBERSHIP OR NONMEMBERSHIP IN AN ORGANIZATION OR LABOR UNION.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 54 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-850 SO AS TO DEFINE THE TERM "FUNERAL PROCESSION", TO PROVIDE FOR THE DUTIES OF OPERATORS OF VEHICLES IN A FUNERAL PROCESSION AND NOT IN A FUNERAL PROCESSION AND TO PROVIDE FOR A CRIMINAL PENALTY FOR A VIOLATION OF THOSE DUTIES.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 55 -- Senators Ford and Elliott: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 2, ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE COMPOSITION OF THE SUPREME COURT, SO AS TO INCREASE FROM FIVE TO SEVEN THE NUMBER OF JUSTICES COMPRISING THE SUPREME COURT ON JANUARY 1, 2011.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

TUESDAY, JANUARY 13, 2009

S. 56 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-15-370 SO AS TO MAKE IT UNLAWFUL TO COMMUNICATE PROFANITY IN A PUBLIC FORUM OR PLACE OF PUBLIC ACCOMMODATION; BY ADDING SECTION 16-15-430 SO AS TO CREATE THE OFFENSE OF DISSEMINATING PROFANITY TO A MINOR AND PROVIDE A PENALTY FOR THE OFFENSE; TO AMEND SECTION 16-15-305, RELATING TO DISSEMINATING OBSCENITY, SO AS TO SPECIFY BOTH ORAL AND WRITTEN PUBLICATIONS; AND TO AMEND SECTION 16-15-375, RELATING TO DEFINITIONS FOR PURPOSES OF MORALITY AND DECENCY OFFENSES AGAINST MINORS, SO AS TO INCLUDE THE OFFENSE OF DISSEMINATING PROFANITY TO A MINOR.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 57 -- Senator Ford: A BILL TO AMEND SECTION 1-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATTENDANCE AT CIRCUIT COURT AND PREPARATION OF THE DOCKET, SO AS TO PROVIDE THAT THE CHIEF ADMINISTRATIVE JUDGE FOR CIRCUIT COURT RATHER THAN THE CIRCUIT SOLICITOR IS RESPONSIBLE FOR DETERMINING THE ORDER OF CASES CALLED FOR TRIAL FOR GENERAL SESSIONS COURT.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 58 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-19-75 SO AS TO PROHIBIT MEMBERS OF THE GENERAL ASSEMBLY FROM CAMPAIGNING FOR JUDICIAL CANDIDATES WITHIN TWO YEARS OF THE ELECTION, TO PROVIDE THAT THE STATE ETHICS COMMISSION SHALL INVESTIGATE COMPLAINTS, TO PROVIDE A PENALTY, AND TO PROVIDE AN EXCEPTION UNDER CERTAIN CIRCUMSTANCES FOR LEGISLATIVE MEMBERS OF THE JUDICIAL MERIT SELECTION COMMISSION.

TUESDAY, JANUARY 13, 2009

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 59 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-23-1235 SO AS TO PROVIDE THAT A TAXICAB COMPANY THAT LEASES A TAXICAB THROUGH AN INDEPENDENT CONTRACTOR AGREEMENT MUST OBTAIN CERTAIN LIABILITY INSURANCE, PROVIDE THAT A TAXICAB COMPANY IS NOT REQUIRED TO PROVIDE WORKERS' COMPENSATION COVERAGE FOR A DRIVER WHO LEASES THE COMPANY'S TAXICAB AS AN INDEPENDENT CONTRACTOR, AND PROVIDE THAT THE PROVISIONS OF THE WORKERS' COMPENSATION LAW DO NOT APPLY TO A DRIVER WHO LEASES A TAXICAB UNDER AN INDEPENDENT CONTRACTOR LEASE AGREEMENT; BY ADDING SECTION 42-1-376 SO AS TO EXEMPT FROM THE SOUTH CAROLINA WORKER'S COMPENSATION LAW A DRIVER WHO LEASES A TAXICAB UNDER AN INDEPENDENT CONTRACTOR LEASE AGREEMENT WITH A TAXICAB COMPANY FROM THE WORKERS' COMPENSATION LAW; TO AMEND SECTION 58-23-1220, AS AMENDED, RELATING TO LIABILITY INSURANCE REQUIRED FOR A TAXI, SO AS TO DELETE SPECIFIC DOLLAR AMOUNTS OF LIABILITY INSURANCE REQUIRED FOR A TAXI FROM THIS SECTION, AND PROVIDE THAT THE MINIMUM STATUTORY LIMITS OF INSURANCE REQUIRED FOR A VEHICLE, OR CERTAIN ALTERNATIVE SELF-INSURER PROVISIONS, APPLY TO A TAXI; TO AMEND SECTION 58-23-1230, RELATING TO FILING A BOND INSTEAD OF LIABILITY INSURANCE FOR A TAXI, SO AS TO ALLOW A TAXI COMPANY TO COMPLY WITH CERTAIN SELF-INSURER PROVISIONS, OR DEPOSIT A BOND INSTEAD OF INSURANCE IN THE AMOUNT OF THE MINIMUM STATUTORY LIMITS OF INSURANCE REQUIRED FOR A VEHICLE; AND TO CHANGE THE TITLE OF ARTICLE 13, CHAPTER 23, TITLE 58 FROM "TAXIS IN COUNTIES WITH CITIES OVER 70,000" TO "TAXIS".

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

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S. 60 -- Senator Ford: A JOINT RESOLUTION TO PROVIDE THAT THE IMPOSITION OF THE MOTOR FUELS USER FEE PURSUANT TO CHAPTER 28, TITLE 12 OF THE 1976 CODE IS SUSPENDED EFFECTIVE JUNE 1, 2009, THROUGH SEPTEMBER 1, 2009, AND TO PROVIDE THAT THE OFFSET AMOUNT OF UNOBLIGATED ENFORCED COLLECTIONS REVENUE MUST BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE THAT MOTOR FUEL WHOLESALERS MUST PASS ON THE SAVINGS REALIZED BY THIS SUSPENSION OF THE MOTOR FUELS USER FEE TO MOTOR FUEL RETAILERS WHEN INVOICING THEM FOR THE COST OF MOTOR FUELS DURING THE SUSPENSION PERIOD.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 61 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-19-492 SO AS TO ENACT A STATEWIDE CURFEW FOR MINORS AND TO PROVIDE A CIVIL PENALTY FOR A VIOLATION OF THE CURFEW; AND TO PROVIDE A PROCEDURE FOR MUNICIPALITIES AND COUNTIES TO "OPT OUT" OF THE CURFEW.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 62 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-127-65 SO AS TO PROVIDE THAT BEGINNING WITH THE FALL SEMESTER OF 2011, AN ENGINEERING SCHOOL AND A LAW SCHOOL MUST BE ESTABLISHED BY THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AT ITS CAMPUS IN ORANGEBURG, AND TO PROVIDE THAT FUNDS FOR THE ENGINEERING SCHOOL AND THE LAW SCHOOL MUST BE PROVIDED BY THE GENERAL ASSEMBLY IN THE ANNUAL GENERAL APPROPRIATIONS ACT AND MAY BE SUPPLEMENTED BY THE UNIVERSITY FROM OTHER FUNDS AND PRIVATE DONATIONS.

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Prefiled and referred to the Committee on Education.

TUESDAY, JANUARY 13, 2009

Read the first time and referred to the Committee on Education.

S. 63 -- Senator Ford: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 2 OF ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE COMPOSITION OF THE SUPREME COURT, SO AS TO INCREASE FROM FIVE TO SEVEN THE NUMBER OF JUSTICES COMPRISING THE SUPREME COURT ON JANUARY 1, 2013; TO SECTION 3, ARTICLE V, RELATING TO THE ELECTION OF MEMBERS OF THE SUPREME COURT, SO AS TO PROVIDE THAT ASSOCIATE JUSTICES OF THE SUPREME COURT SHALL BE POPULARLY ELECTED FROM CONGRESSIONAL DISTRICTS BY THE QUALIFIED VOTERS OF EACH DISTRICT BEGINNING IN 2012 AND THAT THE CHIEF JUSTICE OF THE SUPREME COURT SHALL BE ELECTED FROM THE STATE AT-LARGE; TO SECTION 8, ARTICLE V, RELATING TO ELECTION OF MEMBERS OF THE COURT OF APPEALS, SO AS TO PROVIDE THAT JUDGES OF THE COURT OF APPEALS BEGINNING IN 2012 SHALL BE POPULARLY ELECTED FROM CONGRESSIONAL DISTRICTS BY THE QUALIFIED VOTERS OF EACH DISTRICT; AND TO SECTION 13, ARTICLE V, RELATING TO JUDICIAL CIRCUIT JUDGES, SO AS TO PROVIDE THAT BEGINNING IN 2012 CIRCUIT COURT JUDGES SHALL BE POPULARLY ELECTED FROM STATE SENATORIAL DISTRICTS BY THE QUALIFIED VOTERS OF EACH DISTRICT AND THAT THE CHIEF JUSTICE SHALL ASSIGN CIRCUIT JUDGES TO THE JUDICIAL CIRCUITS WITH REASONABLE EFFORTS MADE TO ACCOUNT FOR GEOGRAPHICAL LOCATION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 64 -- Senator Ford: A BILL TO AMEND SECTION 63-3-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS AND TERMS OF FAMILY COURT JUDGES, SO AS TO PROVIDE THAT FAMILY COURT JUDGES SHALL BE POPULARLY ELECTED FROM STATE SENATORIAL DISTRICTS BY THE QUALIFIED VOTERS OF EACH DISTRICT, AND TO PROVIDE THAT JUDICIAL SCREENING PROCEDURES IN CHAPTER 19, TITLE 2 DO NOT APPLY TO THESE

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POPULARLY ELECTED JUDGES; AND TO REPEAL SECTION 63-3-40 RELATING TO THE NUMBER OF FAMILY COURT JUDGES ASSIGNED TO EACH JUDICIAL CIRCUIT.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 65 -- Senator Ford: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 34, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION AGAINST THE GENERAL ASSEMBLY FROM ENACTING LOCAL OR SPECIAL LAWS, SO AS TO AUTHORIZE THE OPERATION OR POSSESSION OF ANY TYPE OF COIN-OPERATED AMUSEMENT OR GAMING MACHINE OR DEVICE IN A COUNTY UPON THE ENACTMENT OF AN ORDINANCE AUTHORIZING SUCH OPERATION OR POSSESSION, UPON THE FAVORABLE VOTE OF A MAJORITY OF THE MEMBERS OF THE COUNTY'S LEGISLATIVE DELEGATION, OR BY A PETITION SIGNED BY FIVE PERCENT OF THE COUNTY'S REGISTERED ELECTORS SUBJECT TO A FAVORABLE REFERENDUM.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 66 -- Senator Ford: A BILL TO AMEND SECTION 1-3-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY BOARD OF DIRECTORS TO THE OFFICERS WHO MAY BE REMOVED BY THE GOVERNOR.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 67 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3557 SO AS TO ALLOW A STATE INCOME TAX CREDIT EQUAL TO FIFTY PERCENT OF THE EXPENSE OF PURCHASING AND INSTALLING A METAL DETECTOR SECURITY SYSTEM INSTALLED AND OPERATED BY RETAIL SPACE LANDLORDS

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AND INDIVIDUAL RETAILERS FOR THE PURPOSE OF PROVIDING CUSTOMER AND EMPLOYEE SECURITY.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 68 -- Senator Ford: A BILL TO AMEND SECTION 12-33-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSE TAXES ON LICENSES ISSUED PURSUANT TO THE PROVISIONS OF TITLE 61, THE ALCOHOL BEVERAGE CONTROL ACT, SO AS TO REQUIRE A LICENSE WITH A LICENSE TAX OF FIVE THOUSAND DOLLARS FOR A RETAIL DEALER HOLDING A WHOLESALER'S BASIC PERMIT UNDER FEDERAL LAW; TO AMEND SECTION 12-33-245, AS AMENDED, RELATING TO THE EXCISE TAX ON THE GROSS PROCEEDS OF THE SALE OF ALCOHOLIC LIQUORS BY THE DRINK, SO AS TO REPLACE THE EXCISE TAX WITH A LICENSE TAX ON WHOLESALERS IMPOSED AT THE RATE OF SIXTY-SIX CENTS A LITER; AND TO AMEND SECTION 12-36-90, AS AMENDED, RELATING TO THE DEFINITION OF "GROSS PROCEEDS OF SALES" FOR PURPOSES OF THE SOUTH CAROLINA SALES TAX ACT, SO AS TO DELETE AN OBSOLETE REFERENCE TO THE FORMER EXCISE TAX ON THE GROSS PROCEEDS OF THE SALE OF ALCOHOLIC LIQUORS BY THE DRINK.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 69 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3540 SO AS TO ENACT THE "SOUTH CAROLINA LOW INCOME HOUSING TAX CREDIT ACT" WHICH PROVIDES AN INCOME OR INSURANCE PREMIUM TAX CREDIT FOR EXPENDITURES TO DEVELOP RENTAL HOUSING UNITS FOR LOW INCOME TENANTS, TO PROVIDE FOR THE MANNER IN WHICH AND CONDITIONS UNDER WHICH THIS INCOME TAX CREDIT IS AUTHORIZED, AND TO PERMIT THE HOUSING FINANCE AND DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS TO ADMINISTER

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THIS PROGRAM AND THE TAX CREDITS UNDER THE PROGRAM.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 70 -- Senator Ford: A BILL TO AMEND SECTION 61-2-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADMINISTRATION AND ENFORCEMENT OF THE ALCOHOLIC BEVERAGE CONTROL ACT AND THE ADMINISTRATION AND ENFORCEMENT OF LAWS AND REGULATIONS RELATING TO BEER, ALE, PORTER, AND WINE, SO AS TO PROVIDE THAT THE ADMINISTRATION AND ENFORCEMENT OF THESE LAWS IS RESERVED TO THE STATE AND TO PROVIDE THAT LOCAL ORDINANCES ATTEMPTING TO REGULATE THESE MATTERS ARE UNENFORCEABLE; AND TO AMEND SECTION 61-4-120, AS AMENDED, RELATING TO THE PROHIBITION ON SUNDAY BEER AND WINE SALES AND THE EXCEPTIONS TO THIS PROHIBITION, SO AS TO PROVIDE THAT BEER AND WINE MAY BE SOLD OR OFFERED FOR SALE AT ALL HOURS EXCEPT THOSE HOURS WHEN SUCH SALES ARE PROHIBITED BY STATE LAW AND TO PROVIDE THAT CONFLICTING MUNICIPAL AND COUNTY ORDINANCES ARE UNENFORCEABLE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 71 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-135 SO AS TO REQUIRE ALL POLITICAL SUBDIVISIONS OF THE STATE RECEIVING ANY STATE FUNDS TO OBSERVE STATE LEGAL HOLIDAYS, TO PROVIDE THAT PAYMENT OF STATE FUNDS OTHERWISE DUE A POLITICAL SUBDIVISION MUST BE SUSPENDED IF A POLITICAL SUBDIVISION FAILS TO OBSERVE ALL STATE LEGAL HOLIDAYS, AND TO DEFINE "POLITICAL SUBDIVISION".

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

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S. 72 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-1-195 SO AS TO PROVIDE THAT ALL STATE AGENCIES, DEPARTMENTS, COLLEGES, UNIVERSITIES, INSTITUTIONS, AND ENTITIES SHALL REPORT TO THE GENERAL ASSEMBLY AND TO THE GOVERNOR ON JANUARY FIFTEENTH AND JULY FIFTEENTH OF EACH YEAR THE JUSTIFICATION OF THE DOLLARS FROM ANY SOURCE THAT ARE RECEIVED BY THEM, AND HOW THESE DOLLARS ARE USED TO PROVIDE SERVICES TO THE CITIZENS OF THE STATE, AND TO PROVIDE FOR THE ADMINISTRATION OF AND EXCEPTIONS TO THIS PROVISION.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 73 -- Senator Ford: A BILL TO AMEND SECTIONS 1-13-20, 1-13-30, 1-13-70, 1-13-80, 1-13-90, AS AMENDED, AND 1-13-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO PROHIBITING DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, RELIGION, COLOR, SEX, AGE, NATIONAL ORIGIN, OR DISABILITY, SO AS TO ALSO PROHIBIT SUCH DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO DEFINE "SEXUAL ORIENTATION" AND "GENDER IDENTITY".

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 74 -- Senators Ford and Leventis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-55 SO AS TO PROHIBIT HOSPITALS FROM CHARGING UNINSURED PATIENTS FEES IN EXCESS OF THE MAXIMUM FEES CHARGED TO INSURED PATIENTS FOR THE SAME SERVICES.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

TUESDAY, JANUARY 13, 2009

S. 75 -- Senator Ford: A BILL TO AMEND SECTIONS 31-21-30, 31-21-40, 31-21-50, 31-21-60, AND 31-21-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO PROHIBITING DISCRIMINATION PURSUANT TO THE SOUTH CAROLINA FAIR HOUSING LAW, CONCERNING THE BUYING, SELLING, OR RENTING OF DWELLINGS, BECAUSE OF RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN, SO AS TO ALSO PROHIBIT SUCH DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO DEFINE "SEXUAL ORIENTATION" AND "GENDER IDENTITY".

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 76 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-65 SO AS TO REQUIRE HEALTH CARE FACILITIES TO ESTABLISH PROTOCOLS ALLOWING A PATIENT TO DESIGNATE AN INDIVIDUAL AS AN AUTHORIZED VISITOR REGARDLESS OF THE BLOOD OR LEGAL RELATIONSHIP OF THE PATIENT TO THE INDIVIDUAL; TO AMEND SECTIONS 1-13-20, 1-13-30, 1-13-70, 1-13-80, 1-13-90, AS AMENDED, AND 1-13-100, ALL RELATING TO PROHIBITING DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, RELIGION, COLOR, SEX, AGE, NATIONAL ORIGIN, OR DISABILITY, SO AS TO ALSO PROHIBIT SUCH DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO DEFINE "SEXUAL ORIENTATION" AND "GENDER IDENTITY"; TO AMEND SECTIONS 31-21-30, 31-21-40, 31-21-50, 31-21-60, AND 31-21-70, ALL RELATING TO PROHIBITING DISCRIMINATION PURSUANT TO THE SOUTH CAROLINA FAIR HOUSING LAW, CONCERNING THE BUYING, SELLING, OR RENTING OF DWELLINGS, BECAUSE OF RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN, SO AS TO ALSO PROHIBIT SUCH DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO DEFINE "SEXUAL ORIENTATION" AND "GENDER IDENTITY"; TO AMEND SECTIONS 45-2-20, 45-2-30, AND 45-2-60,

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RELATING TO PROHIBITING DISCRIMINATION PURSUANT TO THE LODGING ESTABLISHMENT ACT, CONCERNING HOTELS AND OTHER SLEEPING ACCOMMODATIONS, BECAUSE OF RACE, CREED, COLOR, NATIONAL ORIGIN, GENDER, DISABILITY, OR MARITAL STATUS, SO AS TO ALSO PROHIBIT SUCH DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO DEFINE "SEXUAL ORIENTATION" AND "GENDER IDENTITY"; TO AMEND SECTION 45-9-10, RELATING TO PROHIBITING DISCRIMINATION IN THE FULL AND EQUAL ENJOYMENT OF THE GOODS, SERVICES, FACILITIES, PRIVILEGES, ADVANTAGES AND ACCOMMODATIONS OF ANY PLACE OF PUBLIC ACCOMMODATION BECAUSE OF RACE, COLOR, RELIGION, OR NATIONAL ORIGIN, SO AS TO PROHIBIT SUCH DISCRIMINATION BECAUSE OF SEXUAL ORIENTATION OR GENDER IDENTITY AND TO DEFINE "SEXUAL ORIENTATION" AND "GENDER IDENTITY"; AND BY ADDING SECTION 16-3-1900 SO AS TO ESTABLISH PENALTIES FOR NONCAPITAL CRIMINAL OFFENSES AGAINST A PERSON THAT WERE MOTIVATED BY HATE, WHICH PERTAINS TO SUCH CRIMES BEING COMMITTED WITH THE INTENT TO COMMIT THE CRIME BECAUSE OF THE ACTUAL OR PERCEIVED RACE, RELIGION, COLOR, NATIONAL ORIGIN, ANCESTRY, AGE, DISABILITY, GENDER, SEXUAL ORIENTATION OR GENDER IDENTITY OF A VICTIM, AND TO DEFINE "AGE", "BASE OFFENSE", "GENDER IDENTITY", "DISABILITY", "MOTIVATED BY HATE", AND "SEXUAL ORIENTATION".

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 77 -- Senator Ford: A BILL TO AMEND SECTION 54-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPOINTMENT AND TERMS OF THE MEMBERS OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, SO AS TO PROVIDE THAT THE GOVERNOR MAY REMOVE A MEMBER ONLY FOR CAUSE.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

TUESDAY, JANUARY 13, 2009

S. 78 -- Senator Ford: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 34, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION OF THE GENERAL ASSEMBLY ENACTING LOCAL OR SPECIAL LAWS, SO AS TO ALLOW A COUNTY BY ORDINANCE, BY A VOTE OF A MAJORITY OF A COUNTY'S LEGISLATIVE DELEGATION OR A PETITION SIGNED BY FIVE PERCENT OF A COUNTY'S REGISTERED ELECTORS, SUBJECT TO A FAVORABLE REFERENDUM, TO AUTHORIZE THE OPERATION OR POSSESSION OF ANY TYPE OF COIN-OPERATED AMUSEMENT OR GAMING MACHINE OR DEVICE IN THAT COUNTY.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 79 -- Senator Ford: A BILL TO AMEND SECTION 5-1-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PREREQUISITES TO THE ISSUANCE OF A CORPORATE CERTIFICATE TO A PROPOSED MUNICIPALITY, SO AS TO DELETE THE REFERENCE TO CHAPTER 17.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 80 -- Senator Ford: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF SOUTH CAROLINA, 1895, BY ADDING SECTION 16 TO ARTICLE XVII SO AS TO ESTABLISH A SPECIFIED PROCEDURE FOR THE ENACTMENT OR REPEAL OF LAWS AND CONSTITUTIONAL AMENDMENTS BY INITIATIVE PETITION AND REFERENDUM AND TO PROVIDE EXCEPTIONS.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 81 -- Senator Ford: A BILL TO AMEND SECTIONS 4-9-1210 AND 5-17-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY AND MUNICIPAL BALLOT INITIATIVES, SO AS TO REQUIRE THAT A BALLOT

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INITIATIVE MUST BE REQUESTED BY AT LEAST FIVE INSTEAD OF FIFTEEN PERCENT OF THE QUALIFIED ELECTORS OF A COUNTY AND AT LEAST TEN INSTEAD OF FIFTEEN PERCENT OF THE REGISTERED VOTERS OF A MUNICIPALITY.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 82 -- Senator Ford: A BILL TO AMEND SECTION 7-15-320, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO PROVIDE THAT A QUALIFIED ELECTOR MEETING CERTAIN REQUIREMENTS MUST BE PERMITTED TO VOTE BY ABSENTEE BALLOT BY MAIL, AND THAT A QUALIFIED ELECTOR MUST BE PERMITTED TO VOTE BY ABSENTEE BALLOT IN AN ELECTION IN WHICH HE IS ENTITLED TO VOTE FOR ANY REASON IF THE QUALIFIED ELECTOR APPEARS IN PERSON TO CAST AN ABSENTEE BALLOT AS PROVIDED BY LAW.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 83 -- Senator Ford: A BILL TO AMEND CHAPTER 1, TITLE 54, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY DESIGNATING SECTIONS 54-1-10 THROUGH 54-1-40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS"; AND BY ADDING ARTICLE 5 ENACTING THE "WATERCRAFT GAMBLING ACT" SO AS TO MAKE IT LAWFUL TO USE GAMBLING DEVICES ON WATERCRAFT AND TO PROVIDE DEFINITIONS.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 84 -- Senator Ford: A BILL TO AMEND SECTION 30-4-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHT TO INSPECT OR COPY PUBLIC RECORDS, SO AS TO ADD ARREST WARRANTS ISSUED FOR THE PRECEDING THREE MONTHS AS DOCUMENTS WHICH MUST BE MADE

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AVAILABLE FOR PUBLIC INSPECTION AND COPYING WHEN
THE REQUESTOR APPEARS IN PERSON.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 85 -- Senator Ford: A BILL TO AMEND SECTION 5-7-50,
CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO
THE POWER OF CONDEMNATION BY A MUNICIPALITY, SO
AS TO PROVIDE THAT THIS POWER DOES NOT INCLUDE
OWNER-OCCUPIED RESIDENTIAL PROPERTY LOCATED
OUTSIDE OF A MUNICIPALITY.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 86 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS
OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-11-110
SO AS TO GIVE PREFERENCE TO HOMELESS VETERANS AT
ALL SHELTERS FUNDED IN WHOLE OR IN PART BY PUBLIC
FUNDS.

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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 87 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS
OF SOUTH CAROLINA, 1976, BY ADDING SECTION 34-39-175
SO AS TO PROVIDE FOR A COMMON DATABASE OF
DEFERRED PRESENTMENT TRANSACTIONS IMPLEMENTED
BY THE CONSUMER FINANCE DIVISION OF THE BOARD OF
FINANCIAL INSTITUTIONS AND ACCESSIBLE TO DEFERRED
PRESENTMENT PROVIDERS TO VERIFY IF AN APPLICANT
HAS AN EXISTING OR RECENTLY TERMINATED DEFERRED
PRESENTMENT TRANSACTION FOR PURPOSES OF
DETERMINING ELIGIBILITY TO ENTER INTO A NEW
TRANSACTION, TO PROVIDE FOR THE INFORMATION
REQUIRED, AND TO ALLOW A FEE UP TO ONE DOLLAR FOR
SUBMITTED DATA; BY ADDING SECTION 34-39-205 SO AS TO
PROHIBIT MISLEADING ADVERTISING ON THE PREMISES OF
A DEFERRED PRESENTMENT PROVIDER; BY ADDING
SECTION 34-39-270 SO AS TO PROHIBIT A NEW DEFERRED

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PRESENTMENT TRANSACTION WITH A PERSON WHO HAS AN EXISTING TRANSACTION, AN EXTENDED PAYMENT PLAN, OR HAS ENDED A TRANSACTION EARLIER THAN SEVEN DAYS FROM APPLICATION, TO PROVIDE FURTHER FOR THE SUBMISSION OF AND ACCESS TO INFORMATION IN THE COMMON DATABASE, AND TO PROVIDE FOR A FEE AND FOR CONFIDENTIALITY; BY ADDING SECTION 34-39-280 SO AS TO PROVIDE FOR AN EXTENDED PAYMENT PLAN FOR PAYMENT OF AN OUTSTANDING DEFERRED PRESENTMENT TRANSACTION AND THE REQUIRED TERMS; BY ADDING SECTION 34-39-290 SO AS TO REQUIRE AN ANNUAL REPORT OF THESE TRANSACTIONS BY THE BOARD OF FINANCIAL INSTITUTIONS TO THE GENERAL ASSEMBLY; TO AMEND SECTION 34-39-130, RELATING TO LICENSURE REQUIREMENTS IN CONNECTION WITH A PERSON ENGAGING IN THE BUSINESS OF DEFERRED PRESENTMENT SERVICES, SO AS TO PROHIBIT BUSINESS IN THIS STATE WITHOUT A LICENSE, TO FURTHER DIFFERENTIATE BETWEEN A PERSON REQUIRED TO BE LICENSED AND A BONA FIDE STATE OR FEDERALLY CHARTERED BANK, THRIFT, SAVINGS ASSOCIATION, OR CREDIT UNION, AND TO REQUIRE COMPLIANCE WITH STATE AND FEDERAL LAW WHEN ACTING FOR A THIRD PARTY LENDER; TO AMEND SECTION 34-39-150, RELATING TO APPLICATION FOR LICENSURE, SO AS TO INCREASE THE APPLICATION FEE AND ANNUAL RENEWAL FEE FROM TWO HUNDRED FIFTY DOLLARS TO FIVE HUNDRED DOLLARS AND THE MULTIPLE LOCATION FEE FROM FIFTY DOLLARS TO ONE HUNDRED DOLLARS; TO AMEND SECTION 34-39-170, RELATING TO RESTRICTIONS ON THE ADVANCEMENT OF MONIES, SO AS TO PROHIBIT AN ELECTRONIC FUNDS TRANSFER FOR AUTOMATIC PAYMENT OF A DEFERRED PRESENTMENT TRANSACTION; TO AMEND SECTION 34-39-180, RELATING TO RESTRICTIONS AND REQUIREMENTS FOR A DEFERRED PRESENTMENT TRANSACTION, SO AS TO LIMIT THE TOTAL AMOUNT ADVANCED TO THE LESSER OF FIVE HUNDRED DOLLARS OR TWENTY-FIVE PERCENT OF THE CUSTOMER'S GROSS INCOME DURING THE LOAN PERIOD, TO REQUIRE DISCLOSURE OF THE NATURE OF THE TRANSACTION AND THE CUSTOMER'S RIGHTS, TO PROHIBIT A LOAN TO A PERSON WHO IS ENGAGED IN AN EXTENDED PAYMENT

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PLAN, AND TO PROVIDE FOR FORMS FOR CALCULATION OF PERMISSIBLE LOAN AMOUNTS; AND TO AMEND SECTION 34-39-200, RELATING TO LIMITATIONS ON LICENSEES, SO AS TO REQUIRE COMPLIANCE WITH LAW WHEN ACTING FOR A THIRD-PARTY LENDER.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

S. 88 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-35-52 SO AS TO PROVIDE FOR A TWENTY-FIVE PERCENT SET-ASIDE FOR GOVERNMENTAL BODIES AND LOCAL POLITICAL SUBDIVISIONS SUBJECT TO THE STATE CONSOLIDATED PROCUREMENT CODE FOR CONTRACTS FOR GOODS OR SERVICES ENTERED INTO OUTSIDE OF THE PROCUREMENT CODE WITH VENDORS WHO ARE LEGAL RESIDENTS OF SOUTH CAROLINA.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 89 -- Senator Ford: A BILL TO AMEND SECTION 11-35-1524, AS AMENDED, RELATING TO A PREFERENCE FOR A RESIDENT VENDOR IN CONNECTION WITH A PROCUREMENT SUBJECT TO THE STATE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE VENDOR AND ITS EMPLOYEES MUST BE LEGAL RESIDENTS OF SOUTH CAROLINA TO TAKE ADVANTAGE OF THE PREFERENCE.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 90 -- Senator Ford: A BILL TO AMEND SECTION 39-1-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MAKING INTENTIONALLY UNTRUE STATEMENTS IN ADVERTISING, SO AS TO PROHIBIT IN ANY FORM ADVERTISING THAT IS KNOWN OR SHOULD BE KNOWN TO BE UNTRUE OR MISLEADING, INCLUDING TELEVISION,

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RADIO, AND INTERNET BROADCASTS; AND TO AMEND SECTION 39-5-40, AS AMENDED, RELATING TO APPLICABILITY OF THE UNFAIR TRADE PRACTICES ACT, SO AS TO MAKE THE PROVISIONS APPLICABLE TO A PERSON WHO KNEW OR SHOULD HAVE KNOWN THE ADVERTISING WAS UNTRUE OR MISLEADING.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 91 -- Senator Ford: A BILL TO AMEND SECTION 4-9-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A COUNTY'S POWER OF EMINENT DOMAIN, SO AS TO DELETE A PROVISION AUTHORIZING COUNTIES TO EXERCISE THE POWER OF EMINENT DOMAIN FOR SLUM CLEARANCE AND REDEVELOPMENT; TO AMEND SECTION 5-7-50, RELATING TO A MUNICIPALITY'S POWER OF EMINENT DOMAIN, SO AS TO DELETE A PROVISION AUTHORIZING MUNICIPALITIES TO EXERCISE THE POWER OF EMINENT DOMAIN FOR SLUM CLEARANCE AND REDEVELOPMENT; TO AMEND SECTION 28-2-60, RELATING TO THE APPLICATION OF THE EMINENT DOMAIN PROCEDURE ACT, SO AS TO SPECIFY CIRCUMSTANCES THAT ARE NOT PUBLIC USE AND DO NOT JUSTIFY CONDEMNATION OF PROPERTY; AND TO AMEND SECTION 28-2-210, RELATING TO ACTIONS IN CONDEMNATION, SO AS TO REFERENCE THE CIRCUMSTANCES THAT ARE NOT PUBLIC USE AND DO NOT JUSTIFY CONDEMNATION OF PROPERTY.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 92 -- Senator Ford: A BILL TO AMEND SECTION 31-12-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN CONNECTION WITH THE FEDERAL DEFENSE FACILITIES REDEVELOPMENT LAW, SO AS TO PROVIDE FOR A MUNICIPALITY AS A PART OF THE "AREA OF OPERATION" ENTITLED TO REPRESENTATION ON A REDEVELOPMENT AUTHORITY; TO AMEND SECTION 31-12-40, RELATING TO THE CREATION OF A REDEVELOPMENT AUTHORITY, SO AS TO PROVIDE FOR THE MEMBERSHIP COMPOSITION OF A

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REDEVELOPMENT AUTHORITY CONTROLLING PROPERTY WITHIN A FEDERALLY DEFINED METROPOLITAN STATISTICAL AREA (MSA) LYING WITHIN THE BOUNDARIES OF A MUNICIPALITY, TO REQUIRE RESTRUCTURING OF A NONCOMPLYING AUTHORITY, TO PROVIDE THAT A NEWLY CREATED OR RESTRUCTURED AUTHORITY IS A CREATION OF THE MUNICIPALITY AND NOT THE STATE, TO CONFER UPON THE NEW OR RESTRUCTURED AUTHORITY ALL THE SEPARATE AND DISTINCT POWERS OF OTHER REDEVELOPMENT AUTHORITIES, TO PROVIDE THAT THE NEW OR RESTRUCTURED ENTITY IS NOT A STATE AGENCY FOR, AMONG OTHER THINGS, PURPOSES OF LEASING OF, ACQUISITION OF TITLE TO, AND OTHER TRANSACTIONS INVOLVING REAL PROPERTY AND COMPLIANCE WITH THE CONSOLIDATED PROCUREMENT CODE, AND TO REQUIRE THE NEW OR RESTRUCTURED AUTHORITY TO INDEMNIFY THE STATE AGAINST LOSSES ARISING OUT OF ITS TRANSACTIONS OR ITS LIABILITIES; TO AMEND SECTIONS 31-12-50 AND 31-12-100, RELATING TO MEMBERSHIP TERMS AND DISSOLUTION OF A REDEVELOPMENT AUTHORITY, RESPECTIVELY, BOTH SO AS TO CONFORM THEM TO CHANGES IN SECTION 31-12-40; TO AMEND SECTION 31-12-210, RELATING TO ISSUANCE OF OBLIGATIONS AND DISPOSITION OF FUNDS BY A MUNICIPALITY, SO AS TO INCLUDE IN THE TIME LIMIT FIFTEEN YEARS FROM THE DATE THE AUTHORITY IS RESTRUCTURED AND CEASES TO BE A CREATION OF THE STATE; TO AMEND SECTION 31-12-300, RELATING TO CERTIFICATION OF THE ASSESSED VALUE OF THE TAXABLE PROPERTY IN A PROJECT AREA AND DETERMINATION OF PERCENTAGES REPRESENTING EACH TAXING DISTRICT, SO AS TO PROVIDE THAT THE VALUE BE DETERMINED AS OF THE AUTHORITY'S ORIGINAL CREATION OR THE DATE THE PROPERTIES WERE SCHEDULED FOR DISPOSAL, WITHOUT REGARD TO RESTRUCTURING; TO AMEND SECTION 61-4-510, AS AMENDED, RELATING TO DISTRIBUTION OF FEES FROM BEER AND WINE PERMITS, SO AS TO PROVIDE FOR A SPECIAL FUND TO SUPPORT A FEDERAL DEFENSE FACILITIES REDEVELOPMENT AUTHORITY; AND TO PROVIDE FOR TRANSITIONAL OPERATION OF AN EXISTING

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**FEDERAL DEFENSE FACILITIES REDEVELOPMENT
AUTHORITY.**

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 93 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-13-490 SO AS TO CREATE THE CRIME OF ENGAGING IN THE BUSINESS OF SHORT-TERM VEHICLE SECURED LOANS IN THIS STATE, TO PROVIDE THAT A VIOLATION IS A FELONY, AND TO PROVIDE FOR A MANDATORY MINIMUM PENALTY; AND TO REPEAL SECTION 37-3-413 RELATING TO SHORT-TERM VEHICLE SECURED LOANS.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 94 -- Senator Ford: A BILL TO AMEND SECTIONS 40-81-20, 40-81-50, 40-81-230, AND 40-81-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE ATHLETIC COMMISSION'S POWERS AND DUTIES, SO AS TO EXCLUDE PROFESSIONAL WRESTLING AS A SPORT THAT IT REGULATES; AND TO REPEAL SECTION 40-81-300 RELATING TO THE LICENSING OF A WRESTLER.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 95 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-43-45 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON WHO OWNS PROPERTY ON WHICH AN AFRICAN AMERICAN CEMETERY THAT HAS BEEN DESIGNATED AS HISTORIC BY THE DEPARTMENT OF ARCHIVES AND HISTORY IS SITUATED TO REMOVE OR DISTURB THE GRAVES, OR DEVELOP THE LAND, AND TO PROVIDE A PENALTY.

TUESDAY, JANUARY 13, 2009

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 96 -- Senator Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-235 SO AS TO PROVIDE THAT AGENCIES WHICH EMPLOY LAW ENFORCEMENT OFFICERS TO ENFORCE THE TRAFFIC LAWS OF THIS STATE MUST COLLECT AND MAINTAIN CERTAIN DATA RELATING TO VEHICLE TRAFFIC ENFORCEMENT INCLUDING, BUT NOT LIMITED TO, THE RACE OR ETHNICITY OF THE DRIVER STOPPED; AND TO REPEAL SECTION 23-1-235 RELATING TO THE COLLECTION AND MAINTENANCE OF CERTAIN DATA RELATING TO VEHICLE TRAFFIC ENFORCEMENT BY LAW ENFORCEMENT OFFICERS.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 97 -- Senators Leventis, Land and Malloy: A BILL TO AMEND SECTION 59-53-1410 OF THE 1976 CODE, RELATING TO THE CENTRAL CAROLINA TECHNICAL COLLEGE COMMISSION, TO PROVIDE AN ADDITIONAL MEMBER FROM CLARENDON COUNTY AND AN ADDITIONAL MEMBER FROM KERSHAW COUNTY.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

S. 98 -- Senator Land: A BILL TO AMEND SECTION 50-21-120 OF THE 1976 CODE, RELATING TO THE DUTY OF THE OWNER OF A BOAT LIVERY, TO REMOVE THE PROVISIONS MANDATING THE OWNER'S LIABILITY FOR NEGLIGENT OPERATION OF A VESSEL.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 99 -- Senators Matthews and Leventis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XI OF

TUESDAY, JANUARY 13, 2009

THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE SYSTEM OF FREE PUBLIC SCHOOLS, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE MAINTENANCE AND SUPPORT OF A SYSTEM OF FREE PUBLIC SCHOOLS AND SHALL ESTABLISH, ORGANIZE, AND SUPPORT PUBLIC INSTITUTIONS OF LEARNING THAT WILL PROVIDE A HIGH QUALITY EDUCATION, ALLOWING EACH STUDENT TO REACH HIS HIGHEST POTENTIAL.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 100 -- Senators Grooms, Campsen, Rose and Bryant: A BILL TO AMEND ARTICLE 3, CHAPTER 11 OF TITLE 11 OF THE 1976 CODE, RELATING TO THE GENERAL FUND AND THE CAPITAL RESERVE FUND, BY ADDING SECTION 11-11-315, TO ESTABLISH THE TRANSPORTATION MAINTENANCE FUND, TO PROVIDE THAT TWO PERCENT OF THE GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR BE DEPOSITED INTO THE TRANSPORTATION MAINTENANCE FUND, TO PROVIDE THAT MONIES IN THE FUND MUST BE USED TO OFFSET REVENUE SHORTFALLS, AND TO PROVIDE THAT ANY MONIES IN THE FUND AT THE END OF THE FISCAL YEAR MUST BE DEPOSITED IN THE NON-FEDERAL AID HIGHWAY FUND.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 101 -- Senators Grooms, McConnell, Campsen and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-2647 SO AS TO PROVIDE THAT THE SALES, USE, AND CASUAL EXCISE TAX REVENUES IN A FISCAL YEAR FROM THE SALE, USE, OR TITLING OF A VEHICLE REQUIRED TO BE REGISTERED AND LICENSED BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES MUST BE CREDITED TO THE STATE HIGHWAY FUND AND AN EQUAL AMOUNT OF NONSTATE TAX SOURCE STATE HIGHWAY FUND REVENUES TRANSFERRED TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK TO PROVIDE FOR THE USE OF THESE REVENUES; AND TO

TUESDAY, JANUARY 13, 2009

AMEND SECTION 11-43-160, AS AMENDED, RELATING TO REVENUE SOURCES OF THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO INCLUDE THE REVENUES DERIVED PURSUANT TO SECTION 12-36-2647 AS ADDED BY THIS ACT.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 102 -- Senator Grooms: A BILL TO AMEND SECTION 47-1-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ILL-TREATMENT OF ANIMALS, TO CLARIFY THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO THE PRACTICE OF VETERINARY MEDICINE IN ACCORDANCE WITH ACCEPTED VETERINARY STANDARDS.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 103 -- Senators Grooms and Campsen: A BILL TO AMEND SECTION 57-5-10 OF THE 1976 CODE, RELATING TO THE GENERAL COMPOSITION OF THE STATE HIGHWAY SYSTEM, TO PROVIDE THAT ALL HIGHWAYS IN THE STATE HIGHWAY SYSTEM MUST BE BUILT ACCORDING TO STATE STANDARDS; TO AMEND SECTION 57-5-70, RELATING TO ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ADD COUNTY AND MUNICIPAL ROADS TO THE STATE HIGHWAY SYSTEM WHEN NECESSARY FOR THE INTERCONNECTIVITY OF THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 57-5-80, RELATING TO THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, TO PROVIDE FOR THE REMOVAL OF ROADS FROM THE STATE HIGHWAY SYSTEM WHEN A COUNTY, MUNICIPALITY, SCHOOL, OR OTHER GOVERNMENTAL AGENCY AGREES TO ACCEPT THE ROAD INTO ITS OWN HIGHWAY SYSTEM; AND TO REPEAL SECTION 57-5-90, RELATING TO BELT LINES AND SPURS.

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TUESDAY, JANUARY 13, 2009

Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 104 -- Senators Verdin and Campsen: A BILL TO AMEND TITLE 46 OF THE 1976 CODE, RELATING TO AGRICULTURE, BY ADDING CHAPTER 53, TO LIMIT THE LIABILITY THAT AN AGRITOURISM PROFESSIONAL MAY INCUR DUE TO AN INJURY OR DEATH SUFFERED BY A PARTICIPANT IN AN AGRITOURISM ACTIVITY, TO PROVIDE THAT AN AGRITOURISM PROFESSIONAL MUST POST A WARNING NOTICE AT THE AGRITOURISM FACILITY, TO PROVIDE THAT WARNING NOTICES MUST BE INCLUDED IN CONTRACTS THE AGRITOURISM PROFESSIONAL ENTERS INTO WITH PARTICIPANTS, AND TO PROVIDE THAT THE AGRITOURISM PROFESSIONAL'S LIABILITY IS NOT LIMITED IF THE PROPER WARNING NOTICES ARE NOT PROVIDED TO PARTICIPANTS.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 105 -- Senators Rankin and Rose: A BILL TO AMEND CHAPTER 3, TITLE 27 OF THE 1976 CODE, RELATING TO THE HORIZONTAL PROPERTY ACT, BY ADDING ARTICLE 3, CONDOMINIUM SALES OR RESERVATION ESCROW ACCOUNTS, TO PROVIDE A DEVELOPER MUST PLACE IN AN ESCROW ACCOUNT ALL FUNDS RECEIVED TOWARD THE PURCHASE PRICE OF A CONDOMINIUM PURSUANT TO A CONTRACT TO SELL A CONDOMINIUM PARCEL IF THE CONSTRUCTION, FURNISHING, AND LANDSCAPING OF THE PROPERTY IS NOT SUBSTANTIALLY COMPLETE AT THE TIME OF THE RECEIPT OF THE FUNDS, TO PROVIDE THAT RESERVATION DEPOSITS MUST BE PLACED IN AN ESCROW ACCOUNT, TO PROVIDE FOR THE MAINTENANCE OF THE ESCROW ACCOUNTS, AND TO PROVIDE FOR PENALTIES FOR VIOLATIONS OF THIS ARTICLE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

TUESDAY, JANUARY 13, 2009

S. 106 -- Senators Alexander, Leventis and Elliott: A BILL TO AMEND SECTION 7-15-320 OF THE 1976 CODE, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, TO PROVIDE THAT QUALIFIED ELECTORS MAY CAST AN ABSENTEE BALLOT AT THE ABSENTEE VOTING PRECINCT IN THEIR COUNTY OF RESIDENCE WITHOUT BEING REQUIRED TO MEET THE STATUTORY REQUIREMENTS TO OTHERWISE OBTAIN AN ABSENTEE BALLOT; AND TO AMEND SECTION 7-15-410, TO PROVIDE FOR THE AVAILABILITY OF ABSENTEE BALLOTS TO ELECTORS THAT WANT TO CAST A BALLOT PRIOR TO AN UPCOMING ELECTION IN PERSON AT THE ABSENTEE VOTING PRECINCT IN THEIR COUNTY OF RESIDENCE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 107 -- Senators Ryberg, Bryant, Massey and Peeler: A BILL TO AMEND SECTION 16-3-654 OF THE 1976 CODE, RELATING TO CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE, TO INCLUDE SEXUAL BATTERY WHEN THE VICTIM IS A STUDENT SIXTEEN YEARS OF AGE OR OLDER AND THE ACTOR IS A PERSON EMPLOYED AT A PUBLIC OR PRIVATE SECONDARY SCHOOL, UNDER CERTAIN CIRCUMSTANCES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 108 -- Senators Ryberg, Bryant and Rose: A BILL TO AMEND SECTION 56-5-6540 OF THE 1976 CODE TO PROVIDE THAT FAILURE TO WEAR A SEATBELT IS ADMISSIBLE AS EVIDENCE OF FAILURE TO MITIGATE DAMAGES IN A CIVIL ACTION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 109 -- Senator Ryberg: A BILL TO AMEND CHAPTER 1, TITLE 8 OF THE 1976 CODE, RELATING TO PUBLIC OFFICERS AND EMPLOYEES, BY ADDING SECTION 8-1-195 TO DIRECT THE BUDGET AND CONTROL BOARD TO CHARGE STATE

TUESDAY, JANUARY 13, 2009

EMPLOYEES WHO PARTICIPATE IN THE STATE HEALTH PLAN AN ADDITIONAL TWENTY-FIVE DOLLARS A MONTH IF THE EMPLOYEE IS OBESE.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 110 -- Senator Malloy: A BILL TO AMEND SECTION 59-150-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION LOTTERY ACT, TO PERMIT THE SALE OF LOTTERY TICKETS ON GENERAL OR PRIMARY ELECTION DAYS.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

S. 111 -- Senator Malloy: A BILL TO AMEND SECTION 37-3-413 OF THE 1976 CODE, RELATING TO SHORT-TERM VEHICLE SECURED LOANS, TO AMEND THE DEFINITION OF SHORT-TERM VEHICLE SECURED LOAN TO INCLUDE ALL LENDERS THAT MAKE NONPURCHASE MONEY VEHICLE SECURED LOANS, TO INCLUDE ALL NONPURCHASE MONEY VEHICLE SECURED LOANS REGARDLESS OF THE TERM OF THE LOAN, AND TO CHANGE THE TERMINOLOGY FROM SHORT-TERM VEHICLE SECURED LOAN TO TITLE LOAN; TO PROVIDE THAT A LOAN MAY BE EXTENDED FOR NO MORE THAN ONE HUNDRED EIGHTY DAYS; TO PROVIDE THAT THE PRINCIPAL OF THE LOAN CANNOT EXCEED EIGHTY-FIVE PERCENT OF THE FAIR MARKET RETAIL VALUE OF THE VEHICLE SECURING THE LOAN; TO INCREASE THE RESCISSION PERIOD FROM ONE TO THREE DAYS; TO PROVIDE THAT THE CONSUMER MUST BE GIVEN A CONSPICUOUS NOTICE OF HIS RIGHT OF RESCISSION; AND TO PROVIDE THAT THE LENDER MAY CHARGE UP TO FORTY-EIGHT PERCENT ANNUAL INTEREST FOR THE LOAN.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

TUESDAY, JANUARY 13, 2009

S. 112 -- Senator Malloy: A BILL TO AMEND 1976 CODE OF LAWS OF SOUTH CAROLINA BY ADDING SECTION 16-13-480 TO CREATE THE CRIME OF ENGAGING IN THE BUSINESS OF DEFERRED PRESENTMENT IN THIS STATE, TO PROVIDE THAT A VIOLATION IS A FELONY, AND TO PROVIDE FOR A MANDATORY MINIMUM PENALTY; AND TO REPEAL CHAPTER 39 OF TITLE 34 RELATING TO THE SOUTH CAROLINA DEFERRED PRESENTMENT SERVICES ACT.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

S. 113 -- Senator Malloy: A BILL TO AMEND CHAPTER 39 OF TITLE 34 OF THE 1976 CODE, RELATING TO DEFERRED PRESENTMENT SERVICES, BY ADDING SECTION 34-39-175 TO PROVIDE THAT THE CONSUMER FINANCE DIVISION OF THE BOARD OF FINANCIAL INSTITUTIONS MUST IMPLEMENT A DEFERRED PRESENTMENT LOAN TRACKING DATABASE AND TO PROVIDE FOR INFORMATION REQUIRED IN THE DATABASE; TO ADD SECTION 34-39-270 TO LIMIT CONSUMERS TO ONE DEFERRED PRESENTMENT LOAN AT A TIME, TO PROVIDE FOR A SEVEN DAY WAITING PERIOD BETWEEN LOANS, TO REQUIRE DEFERRED PRESENTMENT PROVIDERS TO VERIFY A CONSUMERS ELIGIBILITY FOR A LOAN PRIOR TO ENTERING A DEFERRED PRESENTMENT TRANSACTION, AND TO PROVIDE FOR THE PROCESS TO DETERMINE ELIGIBILITY; TO ADD SECTION 34-39-280 TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES A CONSUMER MAY UTILIZE A PAYMENT PLAN TO SATISFY AN OUTSTANDING LOAN, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A PAYMENT PLAN MAY BE USED, AND THE REQUIREMENTS FOR A PAYMENT PLAN; TO ADD SECTION 34-39-290 TO PROVIDE THAT THE BOARD MUST MAKE ANNUAL REPORTS AND TO PROVIDE FOR THE CONTENTS OF THOSE REPORTS; TO AMEND SECTION 34-39-130 TO PROVIDE FOR THE APPLICABILITY OF CHAPTER 39 OF TITLE 34; TO AMEND SECTION 34-39-150 TO PROVIDE THAT THE APPLICATION FEE FOR NEW LICENSES AND LICENSE RENEWAL FEES ARE INCREASED FROM TWO HUNDRED FIFTY DOLLARS TO FIVE HUNDRED DOLLARS; TO

TUESDAY, JANUARY 13, 2009

AMEND SECTION 34-39-180 TO PROVIDE FOR A MAXIMUM LOAN AMOUNT BASED UPON THE CONSUMER'S GROSS INCOME OR FIVE HUNDRED DOLLARS, TO PROVIDE FOR CONSUMER WARNING STATEMENTS, TO PROVIDE THAT DEFERRED PRESENTMENT PROVIDERS MAY NOT ENTER INTO A LOAN WITH A CONSUMER SATISFYING ANOTHER LOAN PURSUANT TO AN EXTENDED PAYMENT PLAN, AND TO PROVIDE THAT THE BOARD MUST DEVELOP A FORM TO BE USED BY DEFERRED PRESENTMENT PROVIDERS TO CALCULATE THE MAXIMUM AMOUNT THAT MAY BE LENT TO A CONSUMER; TO AMEND SECTION 34-39-200 TO PROVIDE ADDITIONAL LIMITATIONS ON THE ACTIVITIES OF LICENSED DEFERRED PRESENTMENT PROVIDERS; TO AMEND CHAPTER 39 OF TITLE 34 BY ADDING SECTION 39-34-205 TO PLACE ON-PREMISES ADVERTISING LIMITATIONS; AND TO AMEND SECTION 34-39-170 TO PROVIDE THAT CONSUMERS AND DEFERRED PRESENTMENT PROVIDERS MAY NOT ENTER INTO AGREEMENTS THAT ALLOW FOR AUTOMATIC DEBITED LOAN PAYMENTS.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

S. 114 -- Senator Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-77-360 SO AS TO REQUIRE THE INSURANCE COMPANY OF THE AT-FAULT DRIVER INVOLVED IN AN AUTO ACCIDENT WHERE THERE IS PROPERTY DAMAGE TO A VEHICLE OTHER THAN THAT OF THE AT-FAULT DRIVER TO MAKE THE PAYMENT ON THE CLAIM FOR PROPERTY DAMAGE TO THAT VEHICLE TO THE LIENHOLDER AND OWNER OF THE DAMAGED VEHICLE WHEN THE VEHICLE IS NOT TOTALED AS DETERMINED BY THE COMPANY.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

S. 115 -- Senators Knotts, Peeler, Bryant and Elliott: A BILL TO AMEND SECTIONS 40-81-20, 40-81-50, 40-81-70, 40-81-230, 40-81-

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280, AND 40-81-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO REGULATIONS OF VARIOUS ATHLETIC AND SPORTING ACTIVITIES BY THE STATE ATHLETIC COMMISSION; BY ADDING SECTION 40-81-445 SO AS TO MAKE THE COMBATIVE SPORT OF MIXED MARTIAL ARTS LEGAL IN SOUTH CAROLINA, AND TO PROVIDE FOR THE MANNER IN WHICH THE STATE ATHLETIC COMMISSION SHALL SUPERVISE AND REGULATE MIXED MARTIAL ARTS COMPETITIONS; TO REPEAL SECTION 40-81-480 RELATING TO EVENTS OR EXHIBITIONS INVOLVING MORE THAN ONE OF THE COMBATIVE SPORTS AND IN WHICH WEAPONS ARE USED AS BEING UNLAWFUL; AND TO REPEAL SECTION 40-81-530 RELATING TO ULTIMATE FIGHTING EVENTS AS BEING UNLAWFUL.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 116 -- Senator Knotts: A BILL TO AMEND SECTION 11-35-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO DELETE THE DEFINITION FOR "OFFICE"; TO AMEND SECTION 11-35-1524, AS AMENDED, RELATING TO VENDOR PREFERENCES, SO AS TO PROVIDE FOR PREFERENCES FOR END PRODUCTS FROM SOUTH CAROLINA AND FROM THE UNITED STATES AND FOR CONTRACTORS AND SUBCONTRACTORS WHO EMPLOY INDIVIDUALS DOMICILED IN SOUTH CAROLINA, TO DEFINE CERTAIN TERMS, PROVIDE FOR ELIGIBILITY REQUIREMENTS FOR THE PREFERENCES, PROVIDE FOR APPLICATION FOR THE PREFERENCES AND PENALTIES FOR FALSE APPLICATION, AND TO MAKE EXCEPTIONS TO THE PREFERENCES; TO AMEND SECTION 11-35-40, AS AMENDED, RELATING TO COMPLIANCE WITH FEDERAL REQUIREMENTS, SO AS TO PROVIDE FOR COMPLIANCE WITH THE CONSOLIDATED PROCUREMENT CODE; TO AMEND SECTION 11-35-3215, RELATING TO CONTRACTS FOR DESIGN SERVICES, SO AS TO PROVIDE FOR A RESIDENT PREFERENCE; AND TO REPEAL SECTION 11-35-3025

TUESDAY, JANUARY 13, 2009

RELATING TO APPROVAL OF CHANGE ORDERS IN CONNECTION WITH CERTAIN CONTRACTS.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 117 -- Senators Knotts and Elliott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4975 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE A VEHICLE THAT IS NO LONGER PERMITTED AND LICENSED AS AN AMBULANCE UNLESS THE VEHICLE'S EXTERIOR EQUIPMENT AND MARKINGS THAT DISTINGUISH IT AS AN AMBULANCE ARE REMOVED UNDER CERTAIN CIRCUMSTANCE AND TO PROVIDE A PENALTY.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 118 -- Senator Knotts: A BILL TO AMEND SECTION 22-5-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENDORSEMENT AND EXECUTION OF WARRANTS ISSUED IN OTHER COUNTIES OR BY MUNICIPAL AUTHORITIES, SO AS TO PROVIDE A WARRANT IS NOT REQUIRED TO BE ENDORSED BY A MAGISTRATE IN THE COUNTY WHERE A PERSON CHARGED WITH A CRIME RESIDES OR WHERE HE IS LOCATED, TO PROVIDE PROCEDURES FOR SERVING A WARRANT, AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 119 -- Senators Knotts, Peeler and Elliott: A BILL TO AMEND SECTION 44-7-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SHORT TITLE OF ARTICLE 3, CHAPTER 7, TITLE 44, TO AMEND SECTION 44-7-120, RELATING TO THE PURPOSE OF THIS ARTICLE, TO AMEND SECTION 44-7-130, RELATING TO DEFINITIONS IN THIS ARTICLE, TO AMEND SECTION 44-7-140, RELATING TO DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ADMINISTER THE

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CERTIFICATE OF NEED PROGRAM AND HEALTH FACILITY LICENSURE, TO AMEND SECTION 44-7-150, RELATING TO DUTIES OF THE DEPARTMENT, AND TO AMEND SECTION 44-7-170, AS AMENDED, RELATING TO FACILITIES TO WHICH THIS ARTICLE APPLIES, ALL SO AS TO DELETE PROVISIONS RELATING TO THE CERTIFICATE OF NEED PROGRAM, THEREBY ABOLISHING THE CERTIFICATE OF NEED PROGRAM; AND TO REPEAL SECTIONS 44-7-160, 44-7-180, 44-7-185, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-230, AND 44-7-240 ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM AND POWERS AND PROCEDURES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL RELATIVE TO THE CERTIFICATE OF NEED PROGRAM.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 120 -- Senators Knotts and Rose: A BILL TO AMEND SECTION 56-3-9910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLD STAR FAMILY SPECIAL LICENSE PLATES, SO AS TO PROVIDE THAT THE FEE FOR THIS SPECIAL LICENSE PLATE IS THE DEPARTMENT'S COST TO PRODUCE IT AND TO PROVIDE THAT THE PRODUCTION OF THIS LICENSE PLATE IS EXEMPT FROM THE PROVISIONS CONTAINED IN SECTION 56-3-8000(B) AND (C).

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 121 -- Senator Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF "SECOND AMENDMENT" SPECIAL LICENSE PLATES AND PROVIDE THE CIRCUMSTANCES UNDER WHICH THESE LICENSE PLATES MAY BE ISSUED AND TO PROVIDE THAT A PORTION OF THE PROCEEDS COLLECTED

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FROM THE SALE OF THIS LICENSE PLATE MUST BE DISTRIBUTED TO THE CRIMINAL JUSTICE ACADEMY.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 122 -- Senator Cromer: A BILL TO AMEND SECTION 12-60-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FAILURE OF A TAXPAYER TO MAKE A REPORT OR FILE A RETURN REQUIRED BY LAW OR A TAXPAYER WHO FILES A FRIVOLOUS RETURN, SO AS TO FURTHER PROVIDE FOR THE INFORMATION THE DEPARTMENT MUST CONSIDER WHEN MAKING AN ESTIMATE OF THE TAX LIABILITY OF THE TAXPAYER UNDER THESE CIRCUMSTANCES.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 123 -- Senators Cromer and Bryant: A BILL TO AMEND SECTION 7-13-710 OF THE 1976 CODE, RELATING TO THE IDENTIFICATION A PERSON MUST PRESENT IN ORDER TO VOTE, TO REQUIRE A PERSON TO PRESENT PHOTO IDENTIFICATION OR EXECUTE AN AFFIDAVIT INDICATING THAT THE PERSON HAS A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 124 -- Senator Sheheen: A BILL TO AMEND SECTION 7-11-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESIDENTIAL PREFERENCE PRIMARIES, SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION CONDUCT PRESIDENTIAL PREFERENCE PRIMARIES FOR CERTIFIED POLITICAL PARTIES WHICH RECEIVED AT LEAST FIVE PERCENT OF THE POPULAR VOTE IN SOUTH CAROLINA FOR THE PARTY'S CANDIDATE FOR PRESIDENT OF THE UNITED STATES, EXCEPT WHEN A STATE COMMITTEE OF A POLITICAL PARTY DECIDES TO HOLD A PRESIDENTIAL PREFERENCE PRIMARY AS

TUESDAY, JANUARY 13, 2009

PROVIDED IN SECTION 7-11-25, AND IF MORE THAN ONE STATE COMMITTEE DECIDES TO HOLD A PRESIDENTIAL PREFERENCE PRIMARY, THE COMMITTEES MUTUALLY SHALL SET A SINGLE DATE FOR THE PRESIDENTIAL PREFERENCE PRIMARY, THAT HAS A FILING DEADLINE NO LATER THAN SEVENTY-FIVE DAYS BEFORE THE PRESIDENTIAL PREFERENCE PRIMARY DATE, TO BE AGREED UPON BY JANUARY FIRST OF THE YEAR THE PRESIDENTIAL ELECTION IS TO BE HELD AND SUBMITTED TO THE STATE ELECTION COMMISSION, AND IF THE STATE COMMITTEES ARE NOT ABLE TO REACH AGREEMENT ON THE DATE FOR THE PRESIDENTIAL PREFERENCE PRIMARY, THEN THE PRESIDENTIAL PREFERENCE PRIMARY MUST BE HELD AS PROVIDED IN SECTION 7-13-40.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 125 -- Senators Sheheen and Leventis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1339 SO AS TO PROHIBIT A POLITICAL ACTION COMMITTEE ORGANIZED BY OR ON BEHALF OF CERTAIN STATEWIDE OFFICIALS; AND TO AMEND SECTION 8-13-1340, AS AMENDED, RELATING TO COMMITTEES BEING ESTABLISHED, FINANCED, OR CONTROLLED BY A CANDIDATE, SO AS TO DELETE REFERENCES TO A COMMITTEE ORGANIZED DIRECTLY OR INDIRECTLY ESTABLISHED, FINANCED, MAINTAINED, OR CONTROLLED BY A CANDIDATE OR PUBLIC OFFICIAL.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 126 -- Senators Sheheen and Elliott: A BILL TO AMEND SECTION 56-3-1910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SPECIAL LICENSE TAGS TO CERTAIN HANDICAPPED PERSONS, SO AS TO DEFINE THE TERM "HANDICAPPED", DELETE THE TERM "LICENSE TAG" AND REPLACE IT WITH THE TERM "LICENSE PLATE", AND TO REVISE THE CRITERIA FOR THE ISSUANCE OF THE LICENSE PLATE; TO AMEND SECTION 56-3-1950,

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RELATING TO THE DEFINITION OF THE TERM "HANDICAPPED", AND THE REQUIREMENT THAT A LICENSED PHYSICIAN SHALL CERTIFY THAT A PERSON'S TOTAL AND PERMANENT DISABILITY SUBSTANTIALLY IMPAIRS HIS ABILITY TO WALK, SO AS TO REVISE THE DEFINITION OF THE TERM "HANDICAPPED" AND TO DELETE THE PROVISION RELATING TO THE CERTIFICATION OF A PERSON WHO IS TOTALLY AND PERMANENTLY DISABLED; TO AMEND SECTION 56-3-1960, RELATING TO FREE PARKING FOR HANDICAPPED PERSONS, AND THE ISSUANCE AND DISPLAY OF HANDICAPPED LICENSE PLATES AND PLACARDS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR THE ISSUANCE OF HANDICAPPED LICENSE PLATES, AND TO REVISE THE PROVISIONS REGARDING THE CONTENT, ISSUANCE PROCEDURE, AND DISPLAY OF HANDICAPPED PLACARDS; TO AMEND SECTION 56-3-1965, RELATING TO MUNICIPALITIES DESIGNATING PARKING SPACES FOR HANDICAPPED PERSONS, SO AS TO REVISE THE PROCEDURES THAT ALLOW A HANDICAPPED PERSON TO PARK IN METERED OR TIMED PARKING PLACES WITHOUT BEING SUBJECT TO PARKING FEES OR FINES; AND TO AMEND SECTION 56-3-2010, RELATING TO THE ISSUANCE OF PERSONALIZED LICENSE PLATES, SO AS TO PROVIDE THAT A PERSON WHO ALSO QUALIFIES IS QUALIFIED TO RECEIVE THIS LICENSE PLATE AND A HANDICAPPED LICENSE PLATE MAY BE ISSUED A PERSONALIZED LICENSE PLATE THAT INCLUDES A DECAL THAT CONTAINS THE INTERNATIONAL SYMBOL OF ACCESS.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 127 -- Senators Sheheen and Massey: A BILL TO AMEND SECTIONS 14-17-10 AND 14-23-1020, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION OF CLERKS OF COURT AND PROBATE JUDGES, RESPECTIVELY, SO AS TO REQUIRE THE ELECTIONS OF THESE TWO COUNTY OFFICES TO BE NONPARTISAN, TO PROVIDE FOR NONPARTISAN SPECIAL ELECTIONS WHEN A VACANCY OCCURS, AND TO PROVIDE PROCEDURES FOR THE

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**NOMINATION OF CANDIDATES AND THE CONDUCT OF THE
NONPARTISAN ELECTIONS.**

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 128 -- Senators Sheheen, Campsen, Rose and Massey: A BILL TO AMEND SECTION 1-30-10 OF THE 1976 CODE, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT, BY ADDING THE DEPARTMENT OF ADMINISTRATION; AND BY ADDING SECTION 1-30-125 TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, THE OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ESTABLISHMENT OF THE DEPARTMENT.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 129 -- Senators Sheheen, Campsen, Rose, Bryant and Massey: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI, CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE ADJUTANT GENERAL, COMMISSIONER OF AGRICULTURE, AND SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT UPON THE EXPIRATION OF THE TERMS OF THESE OFFICERS SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, THEY MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, TO SERVE AT HIS PLEASURE AND TO BE REMOVABLE BY HIM FOR ANY REASON; PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE XIII, RELATING TO THE ADJUTANT GENERAL AND

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HIS STAFF OFFICERS, SO AS TO UPDATE REFERENCES TO HIS TITLE AND MILITARY RANK, AND TO PROVIDE THAT UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, HE MUST BE APPOINTED BY THE GOVERNOR IN THE MANNER REQUIRED BY SECTION 7, ARTICLE VI; PROPOSING AN AMENDMENT BY ADDING SECTION 7A TO ARTICLE VI, RELATING TO STATE OFFICERS, SO AS TO ABOLISH THE OFFICE OF SECRETARY OF STATE, AND PROVIDE FOR ITS FUNCTIONS AND DUTIES TO BE DEVOLVED UPON THE ATTORNEY GENERAL IN THE MANNER THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW; AND PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE XI, RELATING TO THE STATE BOARD OF EDUCATION, SO AS TO ABOLISH THE BOARD EFFECTIVE UPON THE STATE SUPERINTENDENT OF EDUCATION BEING APPOINTED BY THE GOVERNOR.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 130 -- Senators Sheheen, Campsen, Rose and Massey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-87 SO AS TO REQUIRE THE GOVERNOR'S ANNUAL STATE BUDGET RECOMMENDATION AND THE REPORTS OF THE HOUSE COMMITTEE ON WAYS AND MEANS AND THE SENATE FINANCE COMMITTEE ON THE ANNUAL GENERAL APPROPRIATIONS ACT TO BE IN A PROGRAMMATIC FORMAT BY PROVIDING A NARRATIVE DESCRIPTION OF EACH SEPARATE PROGRAM ADMINISTERED BY A STATE AGENCY AND PROVIDING THE ELEMENTS THAT MUST BE INCLUDED IN THE NARRATIVE; TO REQUIRE THE BUDGET RECOMMENDATION FOR AN AGENCY TO INCLUDE AN OVERALL BUDGET RECOMMENDATION BY BUDGET CATEGORY AND A SIMILAR RECOMMENDATION FOR EACH SEPARATE PROGRAM ADMINISTERED BY THE AGENCY AND THE SPECIFIC SOURCE OF FUNDS APPROPRIATED FOR THE AGENCY.

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Prefiled and referred to the Committee on Finance.

TUESDAY, JANUARY 13, 2009

Read the first time and referred to the Committee on Finance.

S. 131 -- Senators Sheheen and Leventis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 10 TO CHAPTER 56, TITLE 44, TO ENACT THE "ELECTRONIC WASTE MANAGEMENT ACT" SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL PROMULGATE REGULATIONS IDENTIFYING ELECTRONIC DEVICES THAT ARE PRESUMED TO BE HAZARDOUS WASTE WHEN DISCARDED; TO ESTABLISH CONSUMER ELECTRONIC WASTE RECYCLING FEES ON THE PURCHASE OF THESE ELECTRONIC DEVICES, WHICH FEE MAY BE PAID BY THE RETAILER; TO REQUIRE THE MANUFACTURER OF THESE DEVICES TO NOTIFY RETAILERS OF THE FEES THAT MUST BE COLLECTED AT THE SALE OF THESE DEVICES; TO ESTABLISH THE ELECTRONIC WASTE RECOVERY AND RECYCLING FUND; TO ESTABLISH ELECTRONIC WASTE RECOVERY PAYMENTS TO BE PAID TO AUTHORIZED COLLECTORS OF ELECTRONIC WASTE TO OPERATE FREE ELECTRONIC WASTE COLLECTION, CONSOLIDATING, AND TRANSPORTING SYSTEMS; TO ESTABLISH ELECTRONIC WASTE RECYCLING PAYMENTS TO BE PAID TO RECYCLERS WHO RECEIVE ELECTRONIC WASTES FROM AUTHORIZED COLLECTORS; TO REQUIRE MANUFACTURERS OF ELECTRONIC DEVICES TO ANNUALLY REPORT TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL ON THE TYPE OF DEVICES SOLD THAT CONTAIN ELECTRONIC WASTE AND THE REDUCTION IN MANUFACTURING THESE DEVICES; TO REQUIRE MANUFACTURERS TO PROVIDE INFORMATION TO CONSUMERS DESCRIBING HOW AND WHERE TO RETURN, RECYCLE, AND DISPOSE OF ELECTRONIC DEVICES; TO ESTABLISH REPORTING REQUIREMENTS FOR THE EXPORTATION OF ELECTRONIC WASTE; TO ESTABLISH CIVIL PENALTIES FOR VIOLATIONS; TO PROVIDE THAT THE DEPARTMENT SHALL ESTABLISH AND UPDATE STATEWIDE RECYCLING GOALS; TO ESTABLISH REQUIREMENTS FOR STATE PROCUREMENT OF ELECTRONIC DEVICES; AND TO PROVIDE THAT THIS ARTICLE MUST NOT BE IMPLEMENTED IF FEDERAL LAW TAKES EFFECT REGULATING ELECTRONIC

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WASTE OR IF A COURT ISSUES A JUDGMENT HOLDING THAT OUT-OF-STATE MANUFACTURERS OF ELECTRONIC DEVICES OR RETAILERS MAY NOT BE REQUIRED TO COLLECT THE ELECTRONIC WASTE FEE ESTABLISHED PURSUANT TO THIS ARTICLE.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 132 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-5-175 SO AS TO PROVIDE THAT A LENDER WHO DELIVERS AN UNSOLICITED CHECK TO A PERSON MUST DISCLOSE THAT THE CHECK SECURES A LOAN, THE TERMS OF THE LOAN, AND NOTICE THAT BY NEGOTIATING THE CHECK THE RECIPIENT HAS ENTERED INTO A LOAN AGREEMENT, TO PROVIDE PROTECTION AND RECOURSE FOR INTENDED PAYEES IF AN UNSOLICITED CHECK IS CASHED FRAUDULENTLY, AND TO PROVIDE THAT A VIOLATION OF THIS SECTION IS AN UNFAIR TRADE PRACTICE AND SUBJECT TO APPROPRIATE PENALTIES AND ENFORCEMENT.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 133 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-111-80 SO AS TO PROVIDE THAT AN EMPLOYEE OF THE STATE MAY ATTEND CLASSES FOR CREDIT OR NONCREDIT PURPOSES ON A SPACE-AVAILABLE BASIS WITHOUT THE REQUIRED PAYMENT OF TUITION; AND TO REPEAL SECTION 59-111-15 RELATING TO TUITION ASSISTANCE FOR PERMANENT FACULTY AND STAFF.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

S. 134 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-435 SO AS TO ENACT THE "RELIGIOUS VIEWPOINTS

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ANTIDISCRIMINATION ACT," WHICH PROHIBITS A SCHOOL DISTRICT FROM DISCRIMINATING AGAINST A STUDENT BASED ON RELIGIOUS VIEWPOINT, ALLOWS A STUDENT TO EXPRESS HIS RELIGIOUS VIEWPOINT, ALLOWS A STUDENT TO EXPRESS HIS RELIGIOUS BELIEFS IN HOMEWORK AND CLASSROOM ASSIGNMENTS, AND ALLOWS STUDENTS TO ORGANIZE AND PARTICIPATE IN RELIGIOUS STUDENT GATHERINGS TO THE SAME EXTENT AS SECULAR NONCURRICULAR GROUPS.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

S. 135 -- Senators Sheheen, Leventis and Massey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 23 TO TITLE 13 SO AS TO ENACT THE "SOUTH CAROLINA RURAL INFRASTRUCTURE BANK ACT"; TO ESTABLISH THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK FOR THE PURPOSE OF MAKING GRANTS TO ELIGIBLE RECIPIENTS IN RURAL AREAS; TO PROVIDE FOR THE GOVERNANCE OF THE BANK; TO PROVIDE FOR THE POWERS, DUTIES, AND RESPONSIBILITIES OF THE BOARD; TO PROVIDE CRITERIA FOR THOSE ENTITIES ELIGIBLE TO RECEIVE BANK GRANTS; TO ESTABLISH THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK TRUST FUND TO RECEIVE CERTAIN BANK REVENUES; TO PROVIDE THE CRITERIA WHICH THE BANK SHALL USE IN JUDGING APPLICATIONS FOR GRANTS; TO PROVIDE THAT CERTAIN FUNDS ARE TRANSFERRED TO THE TRUST FUND TO IMPLEMENT THE PROVISIONS OF THIS ACT; TO AUTHORIZE THE BOARD TO ESTABLISH FEES AND PROVIDE THAT CERTAIN FEES MUST BE CREDITED TO THE TRUST FUND ESTABLISHED BY THIS ACT; TO TRANSFER ALL ALLIED, ADVISORY, AFFILIATED, OR RELATED ENTITIES AS WELL AS THE EMPLOYEES, FUNDS, PROPERTY, AND ALL CONTRACT RIGHTS AND OBLIGATIONS ASSOCIATED WITH THE DIVISION OF LOCAL GOVERNMENT AND THE GRANT PROGRAM IT ADMINISTERS, THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, THE STATE RURAL INFRASTRUCTURE FUND, THE COMMUNITY

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DEVELOPMENT BLOCK GRANT PROGRAM, THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, AND THE SOUTH CAROLINA INFRASTRUCTURE FACILITIES AUTHORITY TO AND UNDER THE EXCLUSIVE CONTROL OF THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK; BY ADDING SECTION 12-24-93 SO AS TO PROVIDE THAT REVENUES OF THE STATE PORTION OF THE DEED RECORDING FEE CREDITED TO THE GENERAL FUND OF THE STATE IS CREDITED INSTEAD TO THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK TRUST FUND; TO AMEND SECTION 11-11-170, RELATING TO THE REVENUES PAYABLE FROM THE TOBACCO SETTLEMENT LOCAL GOVERNMENT FUND, SO AS TO PROVIDE THAT GRANTS FROM THE FUND MUST BE TO FUND GRANTS DISTRIBUTED BY THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK INSTEAD OF THE OFFICE OF LOCAL GOVERNMENT OF THE DIVISION OF REGIONAL DEVELOPMENT OF THE STATE BUDGET AND CONTROL BOARD; TO AMEND SECTION 11-40-20, RELATING TO THE CREATION OF THE SOUTH CAROLINA INFRASTRUCTURE FACILITIES AUTHORITY, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK SHALL COMPRISE THE AUTHORITY INSTEAD OF THE STATE BUDGET AND CONTROL BOARD; TO AMEND SECTION 11-40-250, RELATING TO THE REQUIREMENT THAT THE DIVISION OF LOCAL GOVERNMENT OF THE STATE BUDGET AND CONTROL BOARD PROVIDE STAFF AND ASSIST THE SOUTH CAROLINA INFRASTRUCTURE FACILITIES AUTHORITY, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK PERFORM THESE DUTIES AND RESPONSIBILITIES INSTEAD OF THE DIVISION OF LOCAL GOVERNMENT; TO AMEND SECTIONS 12-10-80, 12-10-85, AND 12-28-2910, ALL AS AMENDED, RELATING TO FUNDS PAYABLE TO THE STATE RURAL INFRASTRUCTURE FUND AND FUNDS GENERATED FROM A PORTION OF THE GASOLINE AND FUEL USER FEES, SO AS TO PROVIDE THAT THESE MONIES MUST BE DISTRIBUTED TO THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK AND DEPOSITED IN THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK TRUST FUND AND USED TO PROVIDE GRANTS FOR ELIGIBLE RECIPIENTS; TO AMEND

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SECTION 48-1-350, RELATING TO PENALTIES IMPOSED UNDER THE POLLUTION CONTROL ACT, SO AS TO PROVIDE THAT THE STATE PORTION OF THE CIVIL PENALTIES CREDITED TO THE GENERAL FUND IS CREDITED INSTEAD TO THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK TRUST FUND; TO AMEND SECTION 48-5-30, RELATING TO THE CREATION OF THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, SO AS TO PROVIDE THAT THE MEMBERS OF THE SOUTH CAROLINA RURAL INFRASTRUCTURE BANK COMPRISE THE AUTHORITY INSTEAD OF THE STATE BUDGET AND CONTROL BOARD; TO REPEAL SECTION 1-11-25 RELATING TO THE CREATION OF THE OFFICE OF LOCAL GOVERNMENT OF THE STATE BUDGET AND CONTROL BOARD; AND TO PROVIDE FOR AN INTERIM EXECUTIVE DIRECTOR OF THE RURAL INFRASTRUCTURE BANK.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 136 -- Senator Sheheen: A BILL TO AMEND SECTION 1-30-10 OF THE 1976 CODE, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT, TO MAKE TECHNICAL CORRECTIONS AND TO REQUIRE CERTAIN REPORTS FROM THE VARIOUS DEPARTMENTS; TO AMEND SECTION 8-27-10, RELATING TO THE DEFINITION OF REPORT FOR THE PURPOSES OF THE EMPLOYMENT PROTECTION FOR REPORTS OF VIOLATIONS OF STATE OR FEDERAL LAW OR REGULATION, BY PROVIDING THAT A REPORT MAY BE A WRITTEN OR ORAL ALLEGATION OR TESTIMONY TO A LEGISLATIVE COMMITTEE; TO AMEND CHAPTER 27 OF TITLE 8, RELATING TO EMPLOYMENT PROTECTION FOR REPORTS OF VIOLATIONS OF STATE OR FEDERAL LAW OR REGULATION, BY ADDING SECTION 8-27-60 TO PROVIDE THAT A SUMMARY OF THE PROVISIONS CONTAINED IN CHAPTER 27 ARE POSTED ON THE INTERNET WEBSITE OF EACH PUBLIC BODY SUBJECT TO THE PROVISIONS OF THAT CHAPTER; AND BY ADDING CHAPTER 2 TO TITLE 2, RELATING TO LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS,

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TO PROVIDE THAT THE STANDING COMMITTEES OF THE GENERAL ASSEMBLY HAVE A DUTY TO REVIEW AND STUDY THE OPERATIONS OF THE STATE AGENCIES WITHIN THE COMMITTEE'S JURISDICTION, TO ESTABLISH COMMITTEE OVERSIGHT JURISDICTION, TO PROVIDE FOR THE PROCESS BY WHICH A COMMITTEE MAY INITIATE AN OVERSIGHT STUDY OR INVESTIGATION, TO PROVIDE FOR THE MANNER IN WHICH AN INVESTIGATING COMMITTEE MAY ACQUIRE EVIDENCE OR INFORMATION RELATED TO THE STUDY OR INVESTIGATION, TO PROVIDE FOR PROGRAM EVALUATION REPORTS, THE MANNER IN WHICH THEY ARE REQUESTED, AND THE CONTENTS OF THE REPORTS, TO PROVIDE THAT ALL TESTIMONY GIVEN TO AN INVESTIGATING COMMITTEE MUST BE GIVEN UNDER OATH, TO PROVIDE THAT WITNESSES TESTIFYING IN FRONT OF AN INVESTIGATING COMMITTEE MAY BE REPRESENTED BY COUNSEL, AND TO PROVIDE THAT WITNESSES ARE GIVEN THE BENEFIT OF ANY PRIVILEGE WHICH HE COULD HAVE CLAIMED IN COURT AS A PARTY TO A CIVIL ACTION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 137 -- Senators Sheheen, Campsen and Massey: A BILL TO AMEND SECTION 22-1-10 OF THE 1976 CODE, RELATING TO THE APPOINTMENT, TERM, AND TERRITORIAL JURISDICTION OF MAGISTRATES, TO PROVIDE THAT THE SUPREME COURT MUST PROVIDE THE GOVERNOR WITH NOMINEES TO FILL MAGISTRATE VACANCIES; AND TO AMEND SECTION 22-2-10 TO PROVIDE THAT THE SUPREME COURT MAY APPOINT A SCREENING COMMITTEE TO ASSIST IN THEIR SELECTION OF NOMINEES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 138 -- Senators Sheheen, Campsen, Leventis and Rose: A BILL TO AMEND SECTION 1-3-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO PROVIDE THAT THE STATE INSPECTOR GENERAL MAY BE REMOVED BY THE

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GOVERNOR FOR MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY; AND TO AMEND TITLE 1 OF THE 1976 CODE BY ADDING CHAPTER 6 SO AS TO CREATE THE OFFICE OF THE STATE INSPECTOR GENERAL, TO PROVIDE THAT THE STATE INSPECTOR GENERAL IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, TO AUTHORIZE THE STATE INSPECTOR GENERAL TO ADDRESS FRAUD, WASTE, ABUSE, AND WRONGDOING WITHIN THE SOUTH CAROLINA EXECUTIVE GOVERNMENT AGENCIES; AND TO PROVIDE FOR THE POWERS, DUTIES, AND FUNCTIONS OF THE OFFICE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 139 -- Senators Sheheen, Campsen, Leventis and Rose: A BILL TO AMEND SECTION 1-3-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO PROVIDE THAT THE STATE INSPECTOR GENERAL MAY BE REMOVED BY THE GOVERNOR FOR MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY; BY ADDING CHAPTER 6 TO TITLE 1 SO AS TO CREATE THE OFFICE OF THE STATE INSPECTOR GENERAL, TO PROVIDE THAT THE STATE INSPECTOR GENERAL IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO AUTHORIZE THE STATE INSPECTOR GENERAL TO ADDRESS FRAUD, WASTE, ABUSE, AND WRONGDOING WITHIN THE SOUTH CAROLINA EXECUTIVE GOVERNMENT AGENCIES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 140 -- Senator Lourie: A BILL TO AMEND SECTION 59-39-100 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF UNIFORM DIPLOMAS, TO REQUIRE THE ISSUANCE OF HIGH SCHOOL DIPLOMAS FOR QUALIFYING VETERANS WHO

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SERVED IN THE UNITED STATES ARMED FORCES DURING A WAR PERIOD AS DEFINED BY THE UNITED STATES DEPARTMENT OF VETERAN AFFAIRS.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

S. 141 -- Senators Lourie and Elliott: A BILL TO AMEND SECTIONS 56-1-175 AND 56-1-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A CONDITIONAL DRIVER'S LICENSE AND SPECIAL RESTRICTED DRIVER'S LICENSE BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT AFTER DECEMBER 31, 2009, A PERSON WHO IS ISSUED ONE OF THESE FORMS OF DRIVER'S LICENSES MUST HAVE SUCCESSFULLY COMPLETED A TEEN DEFENSIVE DRIVING COURSE THAT IS APPROVED BY THE DEPARTMENT OF PUBLIC SAFETY.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 142 -- Senators Lourie, Leventis and Elliott: A BILL TO AMEND SECTION 7-15-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, TO ALLOW ANY PERSON QUALIFIED TO VOTE IN SOUTH CAROLINA TO VOTE BY AN ABSENTEE BALLOT; TO AMEND SECTION 7-15-330, RELATING TO THE APPLICATION FOR AN ABSENTEE BALLOT, TO REMOVE ALL MENTION OF QUALIFICATIONS TO VOTE ABSENTEE; TO AMEND SECTION 7-15-340, RELATING TO THE FORM OF THE APPLICATION FOR AN ABSENTEE BALLOT, TO REMOVE ALL MENTION OF REASON TO VOTE ABSENTEE; AND TO AMEND SECTION 7-15-370, RELATING TO FURNISHING BALLOTS AND ENVELOPES, TO REMOVE ALL MENTION OF QUALIFICATIONS TO RECEIVE AN ABSENTEE BALLOT.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

TUESDAY, JANUARY 13, 2009

S. 143 -- Senators Lourie and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 75 TO TITLE 59 SO AS TO ENACT THE "SOUTH CAROLINA SCHOOL FACILITIES INFRASTRUCTURE ACT" TO PROVIDE FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS AND SPECIAL SOURCE BONDS AND NOTES BY THE SOUTH CAROLINA SCHOOL FACILITIES INFRASTRUCTURE AUTHORITY FOR THE CONSTRUCTION OF SCHOOL FACILITIES, TO CREATE THE SOUTH CAROLINA SCHOOL FACILITIES INFRASTRUCTURE AUTHORITY AND TO PROVIDE FOR ITS POWERS AND DUTIES, TO CREATE THE SCHOOL FACILITIES REVIEW COMMISSION AND TO PROVIDE FOR ITS POWERS AND DUTIES, TO SPECIFY THE TERMS BY WHICH THE BONDS AND NOTES ARE ISSUED, TO DEFINE CERTAIN TERMS; AND TO AMEND SECTION 59-71-155, RELATING TO GENERAL OBLIGATION BONDS, SO AS TO PROVIDE FOR THE ADDITION OF FINANCING AGREEMENTS BETWEEN A SCHOOL DISTRICT AND THE SCHOOL FACILITIES INFRASTRUCTURE AUTHORITY.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

S. 144 -- Senator Campsen: A BILL TO RATIFY AN AMENDMENT TO SECTION 33, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROVISION PROVIDING THAT NO UNMARRIED WOMAN UNDER THE AGE OF FOURTEEN YEARS OLD MAY LEGALLY CONSENT TO SEXUAL INTERCOURSE, SO AS TO DELETE THAT PROVISION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 145 -- Senators Campsen, Rose and Bryant: A BILL TO AMEND THE 1976 CODE TO ENACT THE "TAXPAYER INFLATION PROTECTION ACT", BY AMENDING SECTION 12-6-520 RELATING TO ANNUAL INFLATION ADJUSTMENTS TO STATE INDIVIDUAL INCOME TAX BRACKETS, TO DELETE THE PROVISION LIMITING THE INFLATION ADJUSTMENT TO ONE-HALF OF THE ACTUAL INFLATION RATE AND THE

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OVERALL FOUR PERCENT LIMIT ON THE TOTAL INFLATION ADJUSTMENT, AND TO DELETE REDUNDANT LANGUAGE.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 146 -- Senators Campsen and Rose: A BILL TO AMEND THE 1976 CODE BY ADDING SECTION 20-3-240 TO ENACT THE "FAMILY COURT FINANCIAL PRIVACY ACT" TO PROVIDE THAT A FINANCIAL DECLARATION MADE A PART OF THE RECORD IN A MATTER BEFORE THE FAMILY COURT MUST BE SEALED, TO PROVIDE ACCESS TO A FINANCIAL DECLARATION UPON REQUEST ONLY BY THE PARTIES, THE COURT AND PERSONNEL OF THE COURT, AND THE CHILD SUPPORT ENFORCEMENT DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES, AND TO PROHIBIT OTHER ACCESS EXCEPT UPON ORDER OF THE COURT FOR GOOD CAUSE SHOWN; AND TO AMEND SECTION 30-4-40, RELATING TO EXEMPTIONS FROM THE FREEDOM OF INFORMATION ACT, TO EXEMPT FINANCIAL DECLARATIONS IN MATTERS BEFORE THE FAMILY COURT EXCEPT ON ORDER OF THE COURT FOR GOOD CAUSE SHOWN.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 147 -- Senators Campsen and Elliott: A BILL TO ENACT THE "SOUTH CAROLINA GENERAL OBLIGATION BOND FISCAL RESPONSIBILITY ACT" BY AMENDING SECTION 2-7-105 OF THE 1976 CODE, RELATING TO THE LIMITATION ON AUTHORIZATION OF STATE CAPITAL IMPROVEMENT BONDS, TO ALLOW THE AUTHORIZATION OF SUCH BONDS ONLY IN A BILL OR JOINT RESOLUTION ENACTED IN AN ODD-NUMBERED YEAR, TO EXTEND ALL LIMITATIONS OF THIS SECTION TO GENERAL OBLIGATION BONDS OF THE STATE, HOWEVER DESCRIBED, SUBJECT TO THE CONSTITUTIONAL LIMIT ON DEBT SERVICE MEASURED AS A PERCENTAGE OF GENERAL FUND REVENUES, TO REQUIRE THE ENACTMENT OF A SEPARATE JOINT RESOLUTION PRECEDING THE AUTHORIZATION OF BONDS THAT SPECIFICALLY ALLOWS THE CONSIDERATION OF A BOND

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BILL, TO PROVIDE THAT A BILL OR JOINT RESOLUTION ALLOWING SUCH BONDS MAY NOT BE GIVEN THIRD READING IN THE HOUSE OF REPRESENTATIVES OR SENATE OR REPORTED FROM A COMMITTEE OF CONFERENCE OR FREE CONFERENCE UNLESS IT IS ACCOMPANIED BY THE CERTIFICATE OF THE STATE TREASURER THAT DEBT SERVICE ON ALL GENERAL OBLIGATION BONDS OUTSTANDING WHEN ADDED TO ESTIMATED DEBT SERVICE ON AUTHORIZED BUT UNISSUED BONDS AND THE BONDS AUTHORIZED IN THE BILL OR JOINT RESOLUTION DOES NOT EXCEED THE THEN CURRENT CONSTITUTIONAL DEBT SERVICE LIMIT, AND TO DEFINE GENERAL OBLIGATION BOND.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 148 -- Senators Campsen and Sheheen: A BILL TO PROVIDE FOR THE "SOUTH CAROLINA CONSERVATION BANK EQUITABLE FUNDING ACT" BY AMENDING SECTION 48-59-75 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF FUNDING PROVISION FOR THE SOUTH CAROLINA CONSERVATION BANK, TO DELETE THE PROVISION SUSPENDING TRANSFERS TO THE TRUST FUND AND TO PROVIDE INSTEAD THAT THE AMOUNT OF DEED RECORDING FEES TRANSFERRED TO THE TRUST FUND MUST BE REDUCED IN FISCAL YEARS WHEN APPROPRIATIONS TO MORE THAN ONE-HALF OF STATE AGENCIES AND DEPARTMENTS ARE LESS THAN SUCH APPROPRIATIONS IN THE PRIOR FISCAL YEAR BY THE AGGREGATE PERCENTAGE OF DECREASE IN APPROPRIATIONS AND IN A FISCAL YEAR WHEN ACROSS THE BOARD APPROPRIATIONS REDUCTIONS ARE ORDERED BY THE STATE BUDGET AND CONTROL BOARD, THE AMOUNT OF DEED RECORDING FEES TRANSFERRED TO THE TRUST FUND MUST BE THE LESSER OF THE AMOUNT OF FEES LESS THE PERCENTAGE REDUCTION OR THE AMOUNT OF FEES PROJECTED TO BE COLLECTED.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

TUESDAY, JANUARY 13, 2009

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 149 -- Senator Campsen: A BILL TO AMEND SECTION 12-36-2120 OF THE 1976 CODE, RELATING TO SALES TAX EXEMPTIONS, TO CLARIFY THE APPLICATION OF THE SALES TAX EXEMPTION ALLOWED FOR ITEMS OF UNPREPARED FOOD.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 150 -- Senators Campsen and Rose: A BILL TO AMEND THE 1976 CODE TO ENACT THE "SMALL BUSINESS TAX CREDIT REFORM ACT" BY AMENDING SECTION 12-6-3367, RELATING TO A MORATORIUM ON CORPORATE INCOME AND INSURANCE PREMIUM TAXES FOR CERTAIN COMPANIES INVESTING AND CREATING JOBS IN THE STATE, TO PROVIDE THAT A SOLE PROPRIETORSHIP, PARTNERSHIP, LIMITED LIABILITY COMPANY, LIMITED LIABILITY PARTNERSHIP, OR AN ASSOCIATION TAXABLE AS A BUSINESS ENTITY MAY ALSO CLAIM THE TAX CREDIT.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 151 -- Senators Campsen, Cleary, Bryant, Shoopman, Massey and Peeler: A BILL TO AMEND THE 1976 CODE TO ENACT THE "EQUAL ACCESS TO INTERSCHOLASTIC ACTIVITIES ACT" BY ADDING SECTION 59-63-100 TO PERMIT HOME SCHOOL STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES OF THE SCHOOL DISTRICT IN WHICH THE STUDENT RESIDES PURSUANT TO CERTAIN CONDITIONS.

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Prefiled and referred to the Committee on Education.

Read the first time and referred to the Committee on Education.

S. 152 -- Senator Campsen: A BILL TO AMEND THE 1976 CODE BY ADDING ARTICLE 5 TO CHAPTER 11, TITLE 49, RELATING TO WATERS, WATER RESOURCES, AND DRAINAGE, TO ENACT THE "WETLANDS RESTORATION ACT" TO PROVIDE

TUESDAY, JANUARY 13, 2009

THAT CERTAIN IMPOUNDMENTS THAT ORIGINALLY IMPOUNDED A PARCEL OF TIDELAND OR MARSHLAND BUT NO LONGER COMPLETELY IMPOUNDS THAT PARCEL MAY BE REPAIRED OR RESTORED.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 153 -- Senators Campsen and Leventis: A BILL TO AMEND THE 1976 CODE TO ENACT THE "HOME INVASION PROTECTION ACT", BY ADDING SECTION 16-11-395 TO ESTABLISH THE OFFENSES OF HOME INVASION IN THE FIRST, SECOND, AND THIRD DEGREES, AND TO PROVIDE GRADUATED PENALTIES; TO AMEND SECTION 16-1-60, RELATING TO VIOLENT OFFENSES, TO INCLUDE HOME INVASION, FIRST AND SECOND DEGREE; AND TO AMEND SECTION 16-3-20, RELATING TO THE PUNISHMENT FOR MURDER, TO INCLUDE AS A SEPARATE STATUTORY AGGRAVATING CIRCUMSTANCE WHICH MAY BE CONSIDERED IN THE DETERMINATION OF WHETHER THE DEATH PENALTY SHOULD BE IMPOSED, A MURDER COMMITTED WHILE IN THE COMMISSION OF THE OFFENSE OF HOME INVASION IN THE FIRST DEGREE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 154 -- Senator Campsen: A BILL TO AMEND SECTION 12-6-3515 OF THE 1976 CODE, RELATING TO THE STATE INCOME TAX CREDIT ALLOWED FOR DONATIONS OF A GIFT OF LAND FOR CONSERVATION OR A QUALIFIED CONSERVATION CONTRIBUTION, TO PROVIDE THAT THE CREDIT EQUALS TWENTY-FIVE PERCENT OF THE TOTAL VALUE OF THE GIFT RATHER THAN TWENTY-FIVE PERCENT OF THE CHARITABLE DEDUCTION FOR THE GIFT ALLOWED ON THE TAXPAYER'S FEDERAL INCOME TAX RETURN, TO INCREASE THE MAXIMUM ANNUAL CREDIT ALLOWED A TAXPAYER FROM \$52,500 TO \$150,000, AND TO ADJUST THE MAXIMUM ANNUAL CREDIT FOR INCREASES IN THE

TUESDAY, JANUARY 13, 2009

CONSUMER PRICE INDEX, AND TO DELETE OBSOLETE PROVISIONS.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 155 -- Senators Campsen and Rose: A BILL TO AMEND CHAPTER 7, TITLE 20 OF THE 1976 CODE BY ADDING ARTICLE 33 TO ENACT THE "MILITARY PARENT EQUAL PROTECTION ACT", TO PROVIDE THAT A MILITARY PARENT'S MILITARY SERVICE SHALL NOT BE CONSIDERED A CHANGE IN CIRCUMSTANCE FOR PURPOSES OF CHILD CUSTODY AND VISITATION, TO PROVIDE THAT THE CUSTODIAL NON-MILITARY PARENT MUST REASONABLY ACCOMMODATE THE MILITARY PARENT'S LEAVE SCHEDULE, TO PROVIDE THAT THE FAMILY COURT MAY HOLD AN EXPEDITED TEMPORARY HEARING TO ENSURE THAT THE MILITARY PARENT HAS ACCESS TO A MINOR CHILD, AND TO PROVIDE THAT ANY INCREASE OR DECREASE IN EARNING CAPACITY DUE TO MILITARY SERVICE IS NOT CONSIDERED A PERMANENT CHANGE; AND TO AMEND CHAPTER 1, TITLE 15, BY ADDING SECTION 15-1-340, TO PROVIDE THAT A SERVICE MEMBER ENTITLED TO A STAY PURSUANT TO THE SERVICE MEMBERS CIVIL RELIEF ACT MAY SEEK RELIEF AND PROVIDE TESTIMONY BY ELECTRONIC MEANS UNDER CERTAIN CONDITIONS.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 156 -- Senators Campsen, Rose and Elliott: A BILL TO AMEND THE 1976 CODE TO ENACT THE "JUDICIAL ELECTIONS REFORM ACT" BY AMENDING SECTION 2-19-70, RELATING TO PLEDGING, TO PROHIBIT A PERSON OR JUDICIAL CANDIDATE FROM DIRECTLY OR INDIRECTLY SEEKING THE PLEDGE OF A MEMBER OF THE GENERAL ASSEMBLY REGARDING SCREENING FOR ANY JUDICIAL OFFICE UNTIL THE QUALIFICATIONS OF ALL THE CANDIDATES HAVE BEEN DETERMINED BY THE JUDICIAL MERIT SELECTION COMMISSION AND THE COMMISSION HAS FORMALLY RELEASED ITS REPORT.

TUESDAY, JANUARY 13, 2009

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 157 -- Senators Campsen and Rose: A BILL TO AMEND THE 1976 CODE TO ENACT THE "LONG-TERM CARE TAX CREDIT ACT" BY ADDING SECTION 12-6-3395 RELATING TO ANNUAL INFLATION TO ALLOW A STATE INDIVIDUAL INCOME TAX CREDIT OF FIFTEEN PERCENT OF THE TOTAL AMOUNT OF PREMIUMS PAID BY A TAXPAYER PURSUANT TO A LONG-TERM CARE INSURANCE CONTRACT, UP TO THREE HUNDRED FIFTY DOLLARS FOR EACH TAXABLE YEAR FOR EACH CONTRACT, AND TO PROHIBIT A DOUBLE BENEFIT.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 158 -- Senators Campsen, Rose and Massey: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SECRETARY OF STATE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SECRETARY OF STATE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SECRETARY OF STATE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 159 -- Senators Campsen and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA CHIEF INFORMATION OFFICER RESTRUCTURING ACT" BY ADDING ARTICLE 6 TO CHAPTER 3, TITLE 1, TO ESTABLISH THE DEPARTMENT OF THE STATE CHIEF INFORMATION OFFICER TO BE HEADED BY THE STATE CHIEF INFORMATION OFFICER WHO IS APPOINTED

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BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO PROVIDE FOR THE POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 160 -- Senators Campsen, Rose and Massey: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE ADJUTANT GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 161 -- Senators Campsen, Rose and Massey: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

TUESDAY, JANUARY 13, 2009

S. 162 -- Senators Campsen and Rose: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IV, RELATING TO THE ELECTION, QUALIFICATIONS AND TERM OF THE LIEUTENANT GOVERNOR, SO AS TO PROVIDE FOR THE JOINT ELECTION OF THE GOVERNOR AND LIEUTENANT GOVERNOR.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 163 -- Senators Campsen and Rose: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 164 -- Senators Campsen, Rose, Bryant and Massey: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION; AND PROPOSING AN

TUESDAY, JANUARY 13, 2009

AMENDMENT TO SECTION 1, ARTICLE XI, RELATING TO THE STATE BOARD OF EDUCATION, SO AS TO ABOLISH THE BOARD EFFECTIVE UPON THE STATE SUPERINTENDENT OF EDUCATION BEING APPOINTED BY THE GOVERNOR.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 165 -- Senators Campsen, Rose and Massey: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMMISSIONER OF AGRICULTURE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMMISSIONER OF AGRICULTURE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMMISSIONER OF AGRICULTURE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 166 -- Senator Campsen: A JOINT RESOLUTION TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO DESIGN AND IMPLEMENT A HIGHWAY BEAUTIFICATION PILOT PROJECT TO REDUCE THE NUMBER OF NONCONFORMING BILLBOARDS THROUGHOUT THE STATE.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 167 -- Senators Cleary and Bryant: A BILL TO AMEND SECTION 40-15-110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CHAPTER 15 OF TITLE 40 REGULATING DENTISTS AND DENTAL HYGIENISTS, SO AS TO FURTHER SPECIFY THE SCOPE OF ACTIVITIES OF INTERNS AND RESIDENTS WHO

TUESDAY, JANUARY 13, 2009

ARE EXEMPT FROM LICENSURE; AND TO AMEND SECTION 40-15-360, RELATING TO THE AUTHORIZATION OF PHARMACISTS TO FILL PRESCRIPTIONS FOR DENTISTS, SO AS TO EXTEND THIS AUTHORIZATION TO INTERNS AND RESIDENTS UNDER CERTAIN CONDITIONS.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 168 -- Senators Cleary, Campsen, Rose, Bryant and Elliott: A BILL TO AMEND SECTION 38-79-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL MALPRACTICE INSURANCE SO AS TO PROVIDE THAT A LICENSED HEALTH CARE PROVIDER WHO RENDERS MEDICAL SERVICES VOLUNTARILY AND WITHOUT COMPENSATION, AND SEEKS NO REIMBURSEMENT FROM CHARITABLE AND GOVERNMENTAL SOURCES, AND PROVIDES NOTICE TO THE PATIENT OR PATIENT'S PROVIDER IN A NON-EMERGENCY, IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ANY ACT OR OMISSION UNLESS THE ACT OR OMISSION WAS THE RESULT OF THE HEALTH CARE PROVIDER'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

S. 169 -- Senators Cleary and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-190 TO PROVIDE THAT NO PERSON SHALL BE ELIGIBLE FOR ELECTION TO THE HOUSE OF REPRESENTATIVES IF THAT PERSON HAS SERVED SIX TERMS IN THE SAME BODY, AND THAT NO PERSON SHALL BE ELIGIBLE FOR ELECTION TO THE SENATE IF THAT PERSON HAS SERVED FOUR TERMS IN THE SAME BODY, AND TO PROVIDE THAT ANY TERM SERVED FOR WHICH THE ELECTION WAS HELD PRIOR TO JANUARY 1, 2009, SHALL NOT BE COUNTED AS A TERM SERVED.

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TUESDAY, JANUARY 13, 2009

Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 170 -- Senators Cleary and Rose: A BILL TO AMEND TITLE 63, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-17-385 TO AUTHORIZE THE FAMILY COURT TO ISSUE A RULE TO SHOW CAUSE UPON THE FILING OF AN AFFIDAVIT THAT A PARENT HAS FAILED TO PAY COURT-ORDERED SUPPORT, OTHER THAN PERIODIC PAYMENT OF FUNDS FOR THE SUPPORT OF THE CHILD, TO PROVIDE FOR SERVICE BY REGULAR MAIL, TO PROVIDE THAT THE AFFIDAVIT AND CERTAIN OTHER DOCUMENTATION IS PRIMA FACIE EVIDENCE OF NONPAYMENT, SHIFTING THE BURDEN OF PROOF, AND TO PROVIDE A DEFENSE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 171 -- Senator Cleary: A BILL TO AMEND TITLE 11 OF THE 1976 CODE BY ADDING CHAPTER 55, TO CREATE THE LOCAL ECONOMIC STIMULUS GRANTS PROGRAM, TO PROVIDE THAT THE PROGRAM IS GOVERNED BY THE GRANTS REVIEW COMMITTEE AND TO PROVIDE FOR ITS MEMBERSHIP, TO PROVIDE THE GRANT APPLICATION PROCESS, TO PROVIDE WHICH ENTITIES MAY RECEIVE A GRANT AND THE TYPE OF PROJECTS THAT A GRANT MAY SUPPORT, AND TO REQUIRE GRANT RECIPIENTS TO SUBMIT REPORTS THAT ITEMIZE THE EXPENDITURE OF GRANT FUNDS AND DESCRIBE THE BENEFITS TO THE COMMUNITY; AND TO AMEND CHAPTER 7 OF TITLE 2, RELATING TO LEGISLATIVE ENACTMENTS, BY ADDING SECTION 2-7-74 TO PROVIDE THAT BEGINNING WITH THE ANNUAL GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2009-2010, NO COMPETITIVE GRANT PROGRAMS MAY BE ESTABLISHED IN THE STATE BUDGET AND CONTROL BOARD OR IN ANY OTHER AGENCY BY TEMPORARY PROVISIO APPLICABLE FOR THE PARTICULAR FISCAL YEAR, AND TO PROVIDE THAT THE COMPETITIVE GRANTS PROGRAM OF THE STATE BUDGET AND CONTROL BOARD AND OTHER AGENCIES CONTAINED IN ACT 310 OF 2008 (THE 2008-2009 GENERAL

TUESDAY, JANUARY 13, 2009

APPROPRIATIONS ACT) IS ABOLISHED ON THE EFFECTIVE DATE OF THIS ACT.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 172 -- Senator Cleary: A BILL TO AMEND CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES AGAINST THE PERSON, BY ADDING SECTION 16-3-637, TO CREATE THE OFFENSE OF ASSAULT WITH A TASER AND ASSAULT AND BATTERY WITH A TASER.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 173 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-2-270 TO PROVIDE THAT THE DEPARTMENT OF REVENUE, WITH THE ASSISTANCE OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SHALL DEVELOP A MODEL RECYCLING PROGRAM FOR PERMIT HOLDERS FOR ON-PREMISES CONSUMPTION OF BEER, WINE, OR ALCOHOLIC LIQUOR BY THE DRINK, AND TO PROVIDE THAT THE SAME PERMIT HOLDERS MUST COMPLY WITH THE MODEL PROGRAM BY SEPARATING, STORING, AND PROVIDING FOR THE COLLECTION FOR RECYCLING OF ALL RECYCLABLE BEVERAGE CONTAINERS OF ALL BEVERAGES SOLD ON THE PREMISES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 174 -- Senators Cleary and Cromer: A BILL TO AMEND SECTIONS 23-3-240, 23-3-250, AND 23-3-270 OF THE 1976 CODE, RELATING TO THE SUBMISSION OF MISSING PERSON REPORTS, TO PROVIDE THAT ANY PERSON RESPONSIBLE FOR A MISSING PERSON MAY SUBMIT A MISSING PERSON REPORT; AND BY ADDING SECTION 23-3-330 TO ESTABLISH A STATEWIDE SYSTEM FOR THE RAPID DISSEMINATION OF INFORMATION REGARDING A MISSING PERSON WHO IS

TUESDAY, JANUARY 13, 2009

BELIEVED TO BE SUFFERING FROM DEMENTIA OR OTHER COGNITIVE IMPAIRMENT.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 175 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 4-10-810 AND 59-21-1030 RELATING TO THE LEVEL OF FINANCIAL EFFORT PER PUPIL REQUIRED OF EACH SCHOOL DISTRICT.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 176 -- Senators Cleary and Rose: A BILL TO AMEND SECTION 12-37-250 OF THE 1976 CODE, RELATING TO THE HOMESTEAD EXEMPTION, TO PROVIDE THAT IF A PERSON WOULD BE ENTITLED TO A HOMESTEAD TAX EXEMPTION, EXCEPT THAT LEGAL TITLE TO THE DWELLING PLACE IS OWNED BY A CONTINUING CARE RETIREMENT COMMUNITY, THEN THE PERSON QUALIFIES FOR AND IS ENTITLED TO A HOMESTEAD EXEMPTION THAT THE PERSON MAY TRANSFER TO THE CONTINUING CARE RETIREMENT COMMUNITY; AND TO AMEND CHAPTER 43, TITLE 12, RELATING TO COUNTY EQUALIZATION AND ASSESSMENT, BY ADDING SECTION 12-43-223 TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES, THE LEGAL RESIDENCE OF A PERSON WHO RESIDES IN AND OWNS AN EQUITABLE INTEREST IN A CONTINUING CARE RETIREMENT COMMUNITY QUALIFIES FOR A FOUR PERCENT ASSESSMENT THEREON, IF THE PERSON OR THE CONTINUING CARE RETIREMENT COMMUNITY OWNS LEGAL TITLE.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 177 -- Senator Massey: A BILL TO AMEND SECTION 50-11-310 OF THE 1976 CODE, RELATING TO OPEN SEASON FOR

TUESDAY, JANUARY 13, 2009

ANTLERED DEER, TO DELETE THE PROHIBITION OF BAITING FOR DEER IN GAMES ZONES 1 AND 2.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 178 -- Senator Massey: A BILL TO AMEND SECTION 56-1-50 OF THE 1976 CODE, RELATING TO A BEGINNER'S PERMIT, TO DELETE THE DEPARTMENT OF MOTOR VEHICLES' AUTHORITY TO RENEW A BEGINNER'S PERMIT.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 179 -- Senator Massey: A BILL TO AMEND SECTION 40-43-40 OF THE 1976 CODE, RELATING TO THE STATE BOARD OF PHARMACY, BY INCREASING THE MEMBERS OF THE BOARD TO NINE WITH THE ADDITIONAL MEMBER BEING A PHARMACY TECHNICIAN FROM THE STATE AT LARGE.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 180 -- Senator Massey: A BILL TO AMEND SECTION 56-5-6540 OF THE 1976 CODE, RELATING TO SAFETY BELTS, TO PROVIDE THAT A VIOLATION OF ANY SAFETY BELT PROVISION IS ADMISSIBLE AS EVIDENCE IN A CIVIL ACTION TO ESTABLISH COMPARATIVE NEGLIGENCE UNDER CERTAIN CIRCUMSTANCES.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 181 -- Senator Setzler: A BILL TO AMEND SECTION 59-20-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INDEX OF TAXPAYING ABILITY, TO ALLOW ERRORS MADE IN DETERMINING THE INDEX TO BE CORRECTED IN THE PERIOD AFTER FEBRUARY FIRST UNTIL MAY FIRST.

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TUESDAY, JANUARY 13, 2009

Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 182 -- Senators Setzler and Sheheen: A BILL TO AMEND CHAPTER 41, TITLE 2 OF THE 1976 CODE TO DISSOLVE THE JOINT COMMITTEE ON TAXATION AND ESTABLISH A PERMANENT TAX RESEARCH COMMISSION, TO PROVIDE FOR THE COMPOSITION, APPOINTMENT, AND TERM OF OFFICE OF THE MEMBERS OF THE COMMISSION, TO ESTABLISH THE DUTIES AND RESPONSIBILITIES OF THE COMMISSION, TO REQUIRE THE COMPLETION AND DELIVERY OF A REPORT ON SALES TAX EXEMPTIONS NOT LATER THAN DECEMBER 15, 2009, AND TO DIRECT THAT THE STATUTORY CHANGES RECOMMENDED IN THE REPORT SHALL BECOME EFFECTIVE JULY 1, 2010, UNLESS DISAPPROVED BY A JOINT RESOLUTION.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 183 -- Senator McConnell: A BILL TO AMEND CHAPTER 35, TITLE 23, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIREWORKS AND EXPLOSIVES, BY ADDING SECTION 23-35-180 SO AS TO PERMIT A LOCAL GOVERNING BODY TO REGULATE THE DISCHARGE OF FIREWORKS.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 184 -- Senator McConnell: A BILL TO AMEND SECTION 40-27-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON WHO BUYS JUNK, SO AS TO REQUIRE A PERSON WHO BUYS JUNK THAT CONSISTS OF TWENTY-FIVE POUNDS OF SCRAP METAL OR VEHICLE PARTS TO KEEP WITH THE RECORD OF PURCHASE A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT ISSUED PICTURE IDENTIFICATION CARD THAT SHOWS THE SELLER'S NAME AND ADDRESS; TO AMEND SECTION 40-27-40, RELATING TO PENALTIES FOR VIOLATING PROVISIONS OF THE JUNK DEALER ARTICLE, SO AS TO INCREASE THE FINE FROM A MAXIMUM OF ONE HUNDRED DOLLARS TO

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FIVE HUNDRED DOLLARS AND TO ESTABLISH THAT EACH VIOLATION CONSTITUTES A SEPARATE OFFENSE; TO AMEND SECTION 56-5-5670, RELATING TO A DEMOLISHER PURCHASING OR ACQUIRING A VEHICLE TO DEMOLISH, SO AS TO REQUIRE A DEMOLISHER THAT ACQUIRES A VEHICLE OR VEHICLE PARTS WITH A TOTAL WEIGHT OF TWENTY-FIVE POUNDS OR MORE TO KEEP A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT ISSUED PICTURE IDENTIFICATION CARD THAT SHOWS THE SELLER'S NAME AND ADDRESS AND TO ESTABLISH THAT A VIOLATION OF THOSE PROVISIONS IS A MISDEMEANOR WITH A FINE NO MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE OR NOT EXCEEDING FIVE THOUSAND DOLLARS FOR THE SAME SET OF TRANSACTIONS OR IMPRISONED FOR NO MORE THAN SIXTY DAYS, WITH EACH VIOLATION CONSTITUTING A SEPARATE OFFENSE; AND TO AMEND SECTION 56-5-5945, RELATING TO A DEMOLISHER OBTAINING A VEHICLE TITLE, SO AS TO REQUIRE A DEMOLISHER WHO PURCHASES OR ACQUIRES A VEHICLE OR VEHICLE PART WITH A TOTAL WEIGHT OF TWENTY-FIVE OR MORE POUNDS TO KEEP A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT PICTURE IDENTIFICATION CARD THAT SHOWS THE PERSON'S NAME AND ADDRESS AND THE YEAR, MAKE, MODEL, AND IDENTIFICATION NUMBER OF THE VEHICLE, IF AVAILABLE, ALONG WITH ANY OTHER IDENTIFYING FEATURES, AND TO PROVIDE A VIOLATION CONSTITUTES A MISDEMEANOR WITH A FINE NO MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE OR NO MORE THAN FIVE THOUSAND DOLLARS FOR THE SAME SET OF TRANSACTIONS OR IMPRISONED FOR NO MORE THAN SIXTY DAYS, OR BOTH, AND TO ESTABLISH THAT EACH VIOLATION CONSTITUTES A SEPARATE OFFENSE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 185 -- Senator McConnell: A BILL TO AMEND SECTION 56-3-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES APPLICATION FOR THE REGISTRATION AND LICENSING OF A VEHICLE, SO

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AS TO PROVIDE THAT THE APPLICATION MUST INCLUDE A VALID COPY OF THE OWNER'S SOUTH CAROLINA DRIVER'S LICENSE.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 186 -- Senators McConnell and Campsen: A BILL TO AMEND SECTION 15-77-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALLOWANCE OF ATTORNEY'S FEES IN STATE-INITIATED ACTIONS, SO AS TO LIMIT THE FEE TO A REASONABLE TIME EXPENDED AT A REASONABLE RATE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 187 -- Senator McConnell: A BILL TO AMEND SECTION 1-11-730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY TO PARTICIPATE IN STATE INSURANCE PLANS, SO AS TO PROVIDE THAT AN ACTIVE, FULLTIME PERMANENT EMPLOYEE OF A STATE-COVERED ENTITY APPROVED FOR DISABILITY RETIREMENT IS ELIGIBLE TO PARTICIPATE IN PLANS WITH STATE-PAID PREMIUMS IF THE DISABILITY IS THE RESULT OF AN INJURY ARISING OUT OF AND IN THE COURSE OF THE PERFORMANCE OF THE PERSON'S OFFICIAL DUTIES.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 188 -- Senators McConnell and Ford: A BILL TO AMEND SECTION 44-34-60 AND SECTION 44-34-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AGE RESTRICTIONS ON TATTOOING, SO AS TO PROVIDE THAT PERSONS EIGHTEEN OR OLDER ARE ELIGIBLE TO RECEIVE A TATTOO.

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Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

TUESDAY, JANUARY 13, 2009

S. 189 -- Senator McConnell: A BILL TO AMEND SECTION 23-3-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATED TO THE MISSING PERSON INFORMATION CENTER, SO AS TO CHANGE THE DEFINITION OF "MISSING CHILD" AND "MISSING PERSON".

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 190 -- Senator McConnell: A BILL TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16-23-425 SO AS TO CREATE THE CRIME OF POSSESSION OF FIREARMS OR AMMUNITION BY A PERSON WHO HAS BEEN CONVICTED OF A CRIME PUNISHABLE BY IMPRISONMENT FOR A TERM EXCEEDING ONE YEAR, TO PROVIDE THAT A VIOLATION IS A FELONY, TO PROVIDE FOR A PENALTY OF NOT MORE THAN TWO THOUSAND DOLLARS OR IMPRISONMENT OF NOT MORE THAN FIVE YEARS, OR BOTH, AND TO PROVIDE FOR THE DISPOSITION OF THE FIREARMS OR AMMUNITION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 191 -- Senators McConnell and Campsen: A BILL TO ENACT THE SOUTH CAROLINA REDUCTION OF RECIDIVISM ACT OF 2009, SO AS TO PROVIDE LAW ENFORCEMENT OFFICERS WITH THE STATUTORY AUTHORITY TO REDUCE RECIDIVISM RATES, APPREHEND CRIMINALS AND PROTECT POTENTIAL VICTIMS FROM CRIMINAL ENTERPRISES BY AUTHORIZING WARRANTLESS SEARCHES AND SEIZURES OF PROBATIONERS AND PAROLEES; TO AMEND SECTION 20-7-8305, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF JUVENILE PAROLE, SO AS TO PROVIDE THAT BEFORE A JUVENILE MAY BE CONDITIONALLY RELEASED, THE JUVENILE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 20-7-8320, RELATING TO CONDITIONAL RELEASE, SO AS TO PROVIDE THAT THE JUVENILE MUST BE SUBJECT

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TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-19-110, RELATING TO THE PROCEDURE FOR CONDITIONAL RELEASE OF YOUTHFUL OFFENDERS, SO AS TO PROVIDE THAT BEFORE A YOUTHFUL OFFENDER MAY BE CONDITIONALLY RELEASED, THE YOUTHFUL OFFENDER MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-13-710, RELATING TO THE GUIDELINES, ELIGIBILITY CRITERIA, AND IMPLEMENTATION OF A SUPERVISED FURLOUGH PROGRAM, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON SUPERVISED FURLOUGH, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-13-720, RELATING TO INMATES WHO MAY BE PLACED WITHIN CERTAIN PROGRAMS, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON SUPERVISED FURLOUGH, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-13-1330, RELATING TO A COURT INMATE'S AGREEMENT TO TERMS AND CONDITIONS, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON PAROLE, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-21-410, RELATING TO THE COURT BEING AUTHORIZED TO SUSPEND IMPOSITION OF SENTENCE FOR PROBATION AFTER CONVICTION, SO AS TO PROVIDE THAT BEFORE A DEFENDANT MAY BE PLACED ON PROBATION, THE DEFENDANT MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24-21-430, RELATING TO THE CONDITIONS OF PROBATION, SO AS TO PROVIDE THAT THE CONDITIONS IMPOSED MUST INCLUDE THE REQUIREMENT THAT THE PROBATIONER MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24-21-560, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO PROVIDE

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THAT THE CONDITIONS OF PARTICIPATION MUST INCLUDE THE REQUIREMENT THAT THE OFFENDER MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24-21-640, RELATING TO THE CIRCUMSTANCES WARRANTING PAROLE, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON PAROLE, THE INMATE MUST AGREE TO SEARCH AND SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; AND TO AMEND SECTION 24-21-645, RELATING TO THE ORDER AUTHORIZING PAROLE, SO AS TO PROVIDE THAT THE CONDITIONS OF PAROLE MUST INCLUDE THE REQUIREMENT THAT THE PAROLEE MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 192 -- Senator McConnell: A BILL TO AMEND SECTION 56-1-440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATED TO PENALTIES FOR DRIVING WITHOUT A LICENSE, SO AS TO PROVIDE THAT A PERSON WHO DRIVES A MOTOR VEHICLE WITHOUT A LICENSE, AND WHEN DRIVING CAUSES GREAT BODILY INJURY OR DEATH TO ANOTHER PERSON IS GUILTY OF A FELONY AND TO PROVIDE PENALTIES; AND TO AMEND SECTION 56-1-460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATED TO PENALTIES FOR DRIVING WHILE A LICENSE IS CANCELLED, SUSPENDED OR REVOKED, SO AS TO PROVIDE THAT A PERSON WHO DRIVES A MOTOR VEHICLE WHEN HIS LICENSE IS CANCELED, SUSPENDED, OR REVOKED , AND WHEN DRIVING CAUSES GREAT BODILY INJURY OR DEATH TO ANOTHER PERSON IS GUILTY OF A FELONY AND TO PROVIDE PENALTIES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 193 -- Senators McConnell and Campsen: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VALUATION AND

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CLASSIFICATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE THAT THE OWNER-OCCUPANT OF RESIDENTIAL PROPERTY QUALIFIES FOR THE FOUR PERCENT ASSESSMENT RATIO ALLOWED OWNER-OCCUPIED RESIDENTIAL PROPERTY, IF THE OWNER IS OTHERWISE QUALIFIED AND THE RESIDENCE IS NOT RENTED FOR MORE THAN NINETY DAYS A YEAR; TO ALLOW REFUNDS OR CREDITS TO OWNER-OCCUPANTS WHO QUALIFY FOR THE FOUR PERCENT ASSESSMENT RATIO DUE TO THE AMENDMENTS CONTAINED HEREIN; TO DELETE OTHER REFERENCES TO RENTAL OF THESE RESIDENCES; AND TO AMEND SECTION 12-54-240 RELATING TO DISCLOSURE OF RECORDS, REPORTS, AND RETURNS WITH THE DEPARTMENT OF REVENUE, SO AS TO PROVIDE THAT VERIFICATION THAT THE FEDERAL SCHEDULE E CONFORMS WITH THE SAME DOCUMENT REQUIRED BY A COUNTY ASSESSOR IS NOT PROHIBITED.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 194 -- Senators McConnell and Campsen: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VALUATION AND CLASSIFICATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE THAT THE OWNER-OCCUPANT OF RESIDENTIAL PROPERTY QUALIFIES FOR THE FOUR PERCENT ASSESSMENT RATIO ALLOWED OWNER-OCCUPIED RESIDENTIAL PROPERTY, IF THE OWNER IS OTHERWISE QUALIFIED AND THE RESIDENCE IS NOT RENTED FOR MORE THAN NINETY DAYS A YEAR; TO ALLOW REFUNDS OR CREDITS TO OWNER-OCCUPANTS WHO QUALIFY FOR THE FOUR PERCENT ASSESSMENT RATIO DUE TO THE AMENDMENTS CONTAINED HEREIN; TO DELETE OTHER REFERENCES TO RENTAL OF THESE RESIDENCES; AND TO AMEND SECTION 12-54-240 RELATING TO DISCLOSURE OF RECORDS, REPORTS, AND RETURNS WITH THE DEPARTMENT OF REVENUE, SO AS TO PROVIDE THAT VERIFICATION THAT THE FEDERAL SCHEDULE E CONFORMS WITH THE SAME DOCUMENT REQUIRED BY A COUNTY ASSESSOR IS NOT PROHIBITED.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 195 -- Senator McConnell: A BILL TO AMEND SECTION 50-21-870 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE WEARING OF PERSONAL FLOTATION DEVICES ON PERSONAL WATERCRAFTS, SO AS TO PROVIDE THAT A PERSON IS NOT REQUIRED TO WEAR A PERSONAL FLOTATION DEVICE IF THE PERSON IS IN POSSESSION OF A PERSONAL WATERCRAFT THAT IS LOCATED IN THREE FEET OF WATER OR LESS, AND IS ANCHORED, AND THE ENGINE IS NOT OPERATING.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 196 -- Senator McConnell: A BILL TO AMEND CHAPTER 3, TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIVIL ACTIONS, SO AS TO LIMIT LIABILITY FOR CERTAIN LIQUEFIED PETROLEUM GAS PROVIDERS FOR INJURIES OR DAMAGES PROXIMATELY CAUSED BY ALTERATIONS, MODIFICATIONS, OR REPAIRS OF LIQUEFIED PETROLEUM GAS EQUIPMENT THE LIQUEFIED PETROLEUM GAS PROVIDER COULD NOT HAVE DISCOVERED, OR WHEN LIQUEFIED PETROLEUM GAS EQUIPMENT IS USED IN A MANNER OR FOR A PURPOSE OTHER THAN THAT WHICH THE EQUIPMENT WAS INTENDED TO BE USED, OR COULD REASONABLY HAVE BEEN FORESEEN TO BE USED FOR, AND TO PROVIDE AN EFFECTIVE DATE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 197 -- Senators McConnell, Ford and Knotts: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 11, 2009, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE COURT OF APPEALS, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIRST

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JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 6, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 7, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, WHOSE TERM EXPIRES JUNE 20, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 9, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT

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10, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 4, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015.

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Prefiled and referred to the Committee on Judiciary.

The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

S. 198 -- Senator McConnell: A BILL TO AMEND SECTION 39-5-37, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF A NAME TO MISREPRESENT THE GEOGRAPHICAL LOCATION OF A BUSINESS AS AN UNLAWFUL TRADE PRACTICE, SO AS TO MAKE IT AN UNLAWFUL TRADE PRACTICE TO PUBLISH IN A TELEPHONE ASSISTANCE DATABASE OR A PRINT ADVERTISEMENT AN INTENTIONALLY MISLEADING REPRESENTATION OF THE GEOGRAPHICAL LOCATION OF THE BUSINESS.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 199 -- Senator McConnell: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING PROVISIONS THAT WOULD ALLOW THE DEPARTMENT OF MOTOR VEHICLES TO ISSUE HISTORIC AUTOMOBILE LICENSE PLATES FOR A MOTOR VEHICLE OR MOTORCYCLE THAT IS TWENTY-FIVE YEARS OF AGE OR OLDER.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 200 -- Senators Campsen, Rose and Shoopman: A BILL TO AMEND SECTION 22-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CIVIL JURISDICTION OF THE MAGISTRATES COURT, SO AS TO INCREASE THE CIVIL JURISDICTION FROM SEVEN THOUSAND FIVE HUNDRED DOLLARS TO TEN THOUSAND DOLLARS AND TO REQUIRE THAT, EXCEPT FOR LANDLORD AND TENANT CASES, ANY CASE WITH AN AMOUNT IN CONTROVERSY EQUALING OR EXCEEDING FIVE THOUSAND DOLLARS MUST BE ORDERED FOR MANDATORY MEDIATION IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE SOUTH CAROLINA SUPREME COURT.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 201 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 60 TO TITLE 38 SO AS TO ENACT THE "SOUTH CAROLINA HEALTHNET PROGRAM"; TO PROVIDE FOR THE CREATION OF A FIVE-YEAR PILOT PROGRAM TO PROMOTE THE AVAILABILITY OF HEALTH INSURANCE COVERAGE TO EMPLOYEES REGARDLESS OF HEALTH STATUS OR CLAIMS EXPERIENCE, PREVENT ABUSIVE RATING PRACTICES AND REQUIRE DISCLOSURE OF RATING PRACTICES TO PURCHASERS, ESTABLISH RULES REGARDING RENEWAL OF COVERAGE, LIMITATIONS ON THE USE OF PREEXISTING CONDITIONS EXCLUSIONS, ASSURE FAIR ACCESS TO HEALTH PLANS AND IMPROVE OVERALL FAIRNESS AND EFFICIENCY OF THE GROUP HEALTH INSURANCE MARKET; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR THE COMPOSITION AND AUTHORITY OF THE BOARD OF DIRECTORS; TO PROVIDE FAIR MARKETING STANDARDS; TO PROVIDE FOR THE ESTABLISHMENT OF CRITERIA FOR PLAN ADMINISTRATION IN THE PLAN OF OPERATION; TO PROVIDE FOR RATES; TO PROVIDE FOR PROVIDER PARTICIPATION; TO PROVIDE FOR THE APPLICABILITY AND SCOPE OF THE CHAPTER; TO PROVIDE THAT HEALTH

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INSURERS SHALL OFFER AND MARKET PLANS DEVELOPED BY THE SOUTH CAROLINA HEALTHNET PROGRAM WHO ARE ELIGIBLE; TO PROVIDE FOR HEALTH BENEFIT PLAN STANDARDS AND PROVIDE AN EXCEPTION; TO PROVIDE FOR ELIGIBILITY STANDARDS; TO PROVIDE FOR TERMINATION AND NONRENEWAL OF COVERAGE; TO PROVIDE FOR LOSS DATA TO BE REPORTED TO THE PROGRAM; AND TO AUTHORIZE THE DIRECTOR OF THE STATE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS TO IMPLEMENT THE PROVISIONS OF CHAPTER 60, TITLE 38 ADDED BY THIS ACT.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

S. 202 -- Senator Thomas: A BILL TO AMEND SECTION 38-1-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN TITLE 38 RELATING TO THE DEPARTMENT OF INSURANCE, SO AS TO AMEND THE DEFINITION OF "ADMITTED ASSETS" TO INCLUDE THOSE ON THE INSURER'S MOST RECENT STATUTORY FINANCIAL STATEMENT FILED WITH THE DEPARTMENT OF INSURANCE PURSUANT TO THE PROVISIONS OF SECTION 38-13-80 INSTEAD OF THOSE ADMITTED UNDER THE PROVISIONS OF SECTION 38-11-100; TO AMEND SECTION 38-9-10, RELATING TO CAPITAL AND SURPLUS REQUIRED OF STOCK INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES THAT MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38-9-20, RELATING TO THE SURPLUS REQUIRED OF MUTUAL INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES WHICH MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38-9-210, RELATING TO THE REDUCTION FROM LIABILITY FOR THE REINSURANCE CEDED BY A DOMESTIC INSURER, SO AS TO CHANGE THE SECURITIES LISTED THAT QUALIFY AS SECURITY; TO AMEND SECTION 38-10-40, RELATING TO THE PROTECTED CELL ASSETS OF A PROTECTED CELL, SO AS TO CHANGE A CODE REFERENCE; TO AMEND SECTION 38-33-130, RELATING TO THE SECURITY DEPOSIT OF A HEALTH

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MAINTENANCE ORGANIZATION, SO AS TO DELETE THE REQUIREMENT THAT A HEALTH MAINTENANCE ORGANIZATION SHALL ISSUE A CONVERSION POLICY TO AN ENROLLEE UPON THE TERMINATION OF THE ORGANIZATION; AND TO AMEND SECTION 38-55-80, RELATING TO LOANS TO DIRECTORS OR OFFICERS BY AN INSURER, SO AS TO CHANGE A CODE REFERENCE.

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Prefiled and referred to the Committee on Banking and Insurance.

Read the first time and referred to the Committee on Banking and Insurance.

S. 203 -- Senators Peeler, Cleary and Rose: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELECTION, QUALIFICATIONS, AND TERM OF THE LIEUTENANT GOVERNOR, SO AS TO PROVIDE FOR THE JOINT ELECTION OF GOVERNOR AND LIEUTENANT GOVERNOR.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 204 -- Senator Peeler: A BILL TO AMEND CHAPTER 1, TITLE 7 OF THE 1976 CODE BY ADDING SECTION 7-1-90 TO PROVIDE FOR THE "CANDIDATE VOLUNTARY DRUG TESTING PROGRAM", TO PROVIDE THAT POPULARLY ELECTED CANDIDATES OR CANDIDATES ELECTED BY THE GENERAL ASSEMBLY MAY SUBMIT THE RESULTS OF A DRUG TEST TO BE PUBLISHED ON THE APPROPRIATE ENTITY'S WEBSITE, AND TO PROVIDE REQUIREMENTS FOR PUBLICATION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 205 -- Senators Peeler, Massey and Rose: A JOINT RESOLUTION TO ABOLISH THE DEPARTMENT OF TRANSPORTATION COMMISSION AND DEVOLVE ALL OF ITS RESPONSIBILITIES, POWERS, AND DUTIES TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 206 -- Senators L. Martin, Rose and Massey: A BILL TO AMEND SECTION 24-13-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERM "NO PAROLE OFFENSE", SO AS TO REVISE THE DEFINITION TO INCLUDE CLASS D, E, AND F FELONIES, CLASS A, B, AND C MISDEMEANORS, AND OFFENSES CLASSIFIED AS EXEMPT WHICH ARE PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF ONE YEAR OR MORE, TO PROVIDE THAT A PERSON WHO IS FOUND GUILTY OF, OR PLEADS GUILTY OR NOLO CONTENDRE TO, A "NO PAROLE OFFENSE" IS NOT ELIGIBLE FOR EARLY RELEASE FROM INCARCERATION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE AN EXCEPTION RELATED TO THE YOUTHFUL OFFENDER ACT; AND BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO ENACT THE "MIDDLE COURT PROCESSES ACT", TO REQUIRE THE CREATION AND ADMINISTRATION OF A MIDDLE COURT PROCESS IN EACH JUDICIAL CIRCUIT BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE APPOINTMENT, POWERS, AND DUTIES OF A MIDDLE COURT JUDGE, TO PROVIDE REQUIREMENTS FOR AN OFFENDER TO QUALIFY FOR ADMISSION TO A MIDDLE COURT PROCESS, AND TO REQUIRE FUNDING OF THE MIDDLE COURT PROCESS BY THE GENERAL ASSEMBLY TO THE JUDICIAL DEPARTMENT, THE ATTORNEY GENERAL'S OFFICE, AND THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 207 -- Senator L. Martin: A BILL TO AMEND SECTION 7-1-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN SOUTH CAROLINA ELECTION LAW, SO AS TO DELETE THE DEFINITION "CLUB DISTRICT"; TO AMEND SECTION 7-5-460, RELATING TO CUSTODY OF BOOKS AND THEIR RETURN AFTER AN ELECTION, SO AS TO DELETE A REFERENCE TO A "CLUB" AS AN ENTITY TO

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WHOM THE BOOKS ARE RESPONSIBLE; TO AMEND SECTIONS 7-9-20, 7-9-30, AS AMENDED, 7-9-40, 7-9-50, AS AMENDED, 7-9-60, AND 7-9-70, RELATING TO CLUBS IN PARTY ORGANIZATIONS, SO AS TO DELETE REFERENCES TO PARTY CLUBS WHICH CLARIFIES THE ORGANIZATIONAL RELATIONS WITH ELECTION PRECINCTS; TO PROVIDE THAT ALL ELECTED PRECINCT COMMITTEEMEN MAY VOTE ON QUESTIONS BEFORE THE COUNTY COMMITTEE, TO PROVIDE THAT THE CHAIRMAN MAY VOTE IN THE CASE OF A TIE, AND TO PROVIDE THAT AN ELECTED OFFICER OF THE COUNTY COMMITTEE WHO IS NOT A PRECINCT COMMITTEEMAN MAY VOTE DE FACTO, AND TO CLARIFY THE ELECTION PRECINCTS ORGANIZATIONAL RELATIONSHIP; AND TO AMEND SECTION 7-13-170, RELATING TO THE PROCEDURE WHEN A MANAGER FAILS TO ATTEND THE PLACE WHICH HAS BEEN SCHEDULED FOR HOLDING A POLL, SO AS TO DELETE THE TERM "CLUB" FROM THE QUALIFYING MEMBER TO BECOME A MANAGER IN THE PLACE OF ABSENT MANAGERS.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 208 -- Senators L. Martin, Sheheen, Campsen, Rose, Massey and Peeler: A BILL TO ENACT THE "SOUTH CAROLINA RESTRUCTURING ACT" INCLUDING PROVISIONS TO AMEND SECTION 1-30-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 1-30-125 TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ABOVE; BY ADDING CHAPTER 6 TO TITLE 1 TO CREATE THE OFFICE OF STATE INSPECTOR GENERAL

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AS A SEPARATE DIVISION WITHIN THE DEPARTMENT OF ADMINISTRATION, TO PROVIDE THAT THE STATE INSPECTOR GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE, TO PROVIDE FOR THE PURPOSE, DUTIES, RESPONSIBILITIES, AND AUTHORITY OF THE STATE INSPECTOR GENERAL, TO PROVIDE A DEFINITION OF "EXECUTIVE AGENCIES" FOR PURPOSES OF THIS CHAPTER, AND TO PROVIDE FOR THE RECEIPT AND INVESTIGATION OF COMPLAINTS RELATING TO IMPROPER OR UNLAWFUL ACTIVITY WITHIN EXECUTIVE AGENCIES OF THE STATE GOVERNMENT; TO AMEND SECTIONS 1-11-20, AS AMENDED, 1-11-22, 1-11-55, 1-11-56, 1-11-58, 1-11-65, 1-11-67, 1-11-70, 1-11-80, 1-11-90, 1-11-100, 1-11-110, 1-11-180, 1-11-220, 1-11-225, 1-11-250, 1-11-260, 1-11-270, 1-11-280, 1-11-290, 1-11-300, 1-11-310, 1-11-315, 1-11-320, 1-11-335, 1-11-340, 1-11-435, 2-13-240, AS AMENDED, CHAPTER 9 OF TITLE 3; 10-1-10, 10-1-30, AS AMENDED, 10-1-40, 10-1-130, 10-1-190, AS AMENDED, CHAPTER 9 OF TITLE 10, 10-11-50, AS AMENDED, 10-11-90, 10-11-110, 10-11-140, 10-11-330; 11-9-610, 11-9-620, 11-9-630, 11-35-3810, 11-35-3820, 11-35-3830, 11-35-3840, 13-7-30, 13-7-830, ALL AS AMENDED, 48-46-30, AS AMENDED, 48-46-40, AS AMENDED, 48-46-50, 48-46-60, 48-46-90, 48-52-410, 48-52-440, 44-52-460, 44-53-530, AS AMENDED, AND 44-96-140; AND TO ADD SECTION 1-11-185 ALL RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION OR TO SUPPLEMENT SUCH PROVISIONS.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 209 -- Senators Jackson, Ryberg, Campsen and Shoopman: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 9, ARTICLE III, OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ANNUAL SESSIONS OF THE GENERAL ASSEMBLY, SO AS TO REQUIRE EACH ANNUAL SESSION OF THE GENERAL ASSEMBLY TO ADJOURN SINE DIE NO LATER THAN MARCH THIRTY-FIRST OF THE YEAR IN WHICH IT CONVENES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 210 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 28, TITLE 17 SO AS TO ESTABLISH THE "SOUTH CAROLINA INNOCENCE INQUIRY COMMISSION" WHOSE PURPOSE IT IS TO INVESTIGATE AND DETERMINE CREDIBLE CLAIMS OF FACTUAL INNOCENCE OF A CONVICTION THAT REQUIRES AN INDIVIDUAL TO VOLUNTARILY WAIVE CERTAIN RIGHTS AND PRIVILEGES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 211 -- Senator Jackson: A BILL TO AMEND SECTION 12-6-5060, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE VOLUNTARY CONTRIBUTION OF FUNDS TO VARIOUS ENTITIES BY A PERSON ON HIS STATE INDIVIDUAL INCOME TAX RETURN, SO AS TO SPECIFY THE RURAL CROSSROADS INSTITUTE AS AN ENTITY TO WHICH A PERSON MAY MAKE A VOLUNTARY CONTRIBUTION AND TO PROVIDE THAT THOSE CONTRIBUTIONS MUST BE USED TO EMPOWER RURAL COMMUNITIES TO IMPLEMENT BEST PRACTICES AND SHARED SOLUTIONS THAT PROMOTE ECONOMIC DEVELOPMENT AND GROWTH.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 212 -- Senators Ryberg and Rose: A BILL TO AMEND SECTIONS 9-1-1510, 9-1-1515, 9-1-1550, 9-1-1660, 9-1-1770, AND 9-1-1850, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RETIREMENT AND EARLY RETIREMENT, CALCULATION OF RETIREMENT BENEFITS, SURVIVORS' ANNUITIES, DEATH BENEFITS, AND SERVICE PURCHASE FOR PURPOSES OF THE SOUTH CAROLINA RETIREMENT SYSTEM, TO INCREASE FROM TWENTY-EIGHT TO THIRTY YEARS THE SERVICE CREDIT REQUIRED FOR A NON-VESTED MEMBER OF THAT SYSTEM, ON THE DATE THIS

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ACT TAKES EFFECT, TO RETIRE AT ANY AGE WITHOUT A REDUCTION IN BENEFITS, AND TO MAKE THE APPROPRIATE CONFORMING AMENDMENTS.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 213 -- Senators O'Dell and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 54 TO TITLE 2 SO AS TO ESTABLISH A PERMANENT JOINT COMMITTEE OF THE GENERAL ASSEMBLY TO MONITOR, STUDY, AND MAKE APPROPRIATE RECOMMENDATIONS ON ALL ISSUES, LEGISLATION, AND OTHER ACTIONS NECESSARY TO SUSTAIN AND DEVELOP SOUTH CAROLINA'S MILITARY INSTALLATIONS, COMMUNITIES, AND DEFENSE-RELATED BUSINESSES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 214 -- Senators Elliott and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-5-290 SO AS TO DIRECT THE STATE TREASURER TO ESTABLISH AND MAINTAIN AN ONLINE REGISTER OF EACH STATE PAYMENT IN THE AMOUNT OF ONE THOUSAND DOLLARS OR MORE IN A FISCAL YEAR, TO PROVIDE THE PAYMENTS WHICH MUST BE INCLUDED ON THIS REGISTER AND THOSE PAYMENTS THAT ARE EXEMPT, AND TO PROVIDE FOR THE ORGANIZATION AND INDEXING OF THIS REGISTER.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 215 -- Senator Elliott: A BILL TO AMEND SECTION 27-31-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ESTABLISHMENT OF A HORIZONTAL PROPERTY REGIME, SO AS TO PROVIDE IN THE EVENT A LESSEE, CO-OWNER, OR OWNER DESIRES TO PRE-SELL AN APARTMENT UNIT IN A CONDOMINIUM PROJECT, WHETHER OR NOT THE MASTER DEED HAS BEEN RECORDED, THE EARNEST MONEY

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DEPOSITS MUST BE PLACED IN A SPECIAL ESCROW ACCOUNT OR A SPECIAL BOND MUST BE OBTAINED; AND TO AMEND SECTION 27-31-130, RELATING TO WAIVER OF A REGIME, SO AS TO PROVIDE A VOTE OF TWO-THIRDS OF THE CO-OWNERS OF PROPERTY CONSTITUTED AS A HORIZONTAL PROPERTY REGIME MAY WAIVE THE REGIME, TO PROVIDE IF A CO-OWNER OR A CREDITOR ENCUMBERING HIS APARTMENT DOES NOT AGREE TO ACCEPT THE WAIVER, THE CO-OWNER MAY DEMAND THE CO-OWNERS WHO MADE THE WAIVER REQUEST AND THOSE CO-OWNERS CONSEQUENTLY MUST PURCHASE HIS APARTMENT AT FAIR MARKET VALUE, TO PROVIDE A MANNER FOR DETERMINING THIS FAIR MARKET VALUE, AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 216 -- Senator Ford: A BILL TO AMEND SECTIONS 2-19-10, 2-19-20, 2-19-25, 2-19-30, AS AMENDED, 2-19-35, 2-19-70, 2-19-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION AND THE PROCEDURES AND REQUIREMENTS FOR ELECTING PERSONS TO JUDICIAL OFFICES OF THIS STATE, SO AS TO FURTHER PROVIDE FOR THESE PROCEDURES AND REQUIREMENTS INCLUDING SITUATIONS WHERE MORE THAN THREE CANDIDATES MAY BE NOMINATED FOR ELECTION TO A PARTICULAR JUDICIAL OFFICE; AND TO AMEND SECTION 20-7-1370, AS AMENDED, RELATING TO THE QUALIFICATIONS FOR ELECTION TO THE OFFICE OF FAMILY COURT JUDGE, SO AS TO REQUIRE A CANDIDATE TO HAVE BEEN A RESIDENT OF THE CIRCUIT WHERE THE FAMILY COURT IS LOCATED FOR AT LEAST ONE YEAR PRECEDING HIS ELECTION.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 217 -- Senator Fair: A BILL TO AMEND SECTION 24-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PLACES OF CONFINEMENT FOR

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INMATES, SO AS TO SUBSTITUTE THE TERM "REGIONAL COUNTY OR MUNICIPAL JAIL" FOR THE TERM "COUNTY JAIL", AND TO INCLUDE FACILITY MANAGERS OF THE COUNTY, MUNICIPAL ADMINISTRATORS, OR THEIR EQUIVALENT AS PERSONS WHO THE STATE MUST OBTAIN CONSENT FROM TO HOUSE AS AN INMATE IN A LOCAL GOVERNMENTAL FACILITY; TO AMEND SECTION 24-3-27, RELATING TO THE ESTABLISHMENT OF LOCAL REGIONAL CORRECTIONAL FACILITIES, SO AS TO PROVIDE THAT THE DECISION TO ASSIGN WORK OR DISQUALIFY A PERSON FROM WORK IN A FACILITY IS IN THE SOLE DISCRETION OF THE OFFICIAL IN CHARGE OF THE FACILITY AND MAY NOT BE CHALLENGED; TO AMEND SECTION 24-3-30, RELATING TO DESIGNATION OF PLACES OF CONFINEMENT, SO AS TO REVISE THE LIST OF PERSONS FROM WHICH THE STATE MUST OBTAIN CONSENT BEFORE AN INMATE MAY BE PLACED IN A FACILITY MAINTAINED BY A LOCAL GOVERNMENTAL ENTITY; TO AMEND SECTION 24-3-50, RELATING TO THE PENALTY FOR A PRISONER WHO FAILS TO REMAIN WITHIN THE EXTENDED LIMITS OF HIS CONFINEMENT, SO AS TO PROVIDE THAT THIS PROVISION APPLIES TO A PRISONER CONFINED IN A LOCAL FACILITY, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-3-60, RELATING TO THE CLERKS OF COURT PROVIDING NOTICE TO THE DEPARTMENT OF CORRECTIONS OF THE NUMBER OF CONVICTS SENTENCED TO IMPRISONMENT IN THE PENITENTIARY, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-70, RELATING TO ALLOWABLE EXPENSES INCURRED FOR THE TRANSPORTATION OF CONVICTS TO THE PENITENTIARY, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-80, RELATING TO THE DETENTION OF A PRISONER BY COMMITMENT AUTHORIZED BY THE GOVERNOR, SO AS TO SUBSTITUTE THE TERM "STATE PRISON SYSTEM" FOR THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-81, RELATING TO CONJUGAL VISITS WITHIN THE STATE PRISON SYSTEM, SO AS TO PROVIDE THAT NO PRISONER IN THE STATE PRISON SYSTEM OR WHO IS BEING DETAINED IN A LOCAL GOVERNMENTAL FACILITY IS PERMITTED TO HAVE CONJUGAL VISITS; TO AMEND SECTION 24-3-130, RELATING TO THE USE OF INMATE LABOR ON PUBLIC WORKS

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PROJECTS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-3-131, RELATING TO THE SUPERVISION OF INMATES USED ON PUBLIC PROJECTS, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-140, RELATING TO THE USE OF CONVICT LABOR AT THE STATE HOUSE, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-160, RELATING TO THE COST OF MAINTAINING CONVICTS BY STATE INSTITUTIONS, SO AS TO SUBSTITUTE THE TERM "INMATES" FOR THE TERM "CONVICTS", AND THE TERM "PRISON SYSTEM" FOR THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-170, RELATING TO THE USE OF CONVICTS BY CLEMSON UNIVERSITY, SO AS TO SUBSTITUTE THE TERMS "FEE" FOR THE TERM "HIRE", "INMATES" FOR THE TERM "CONVICTS", "EMPLOYEES" FOR THE TERM "GUARDS", AND "PRISON" FOR THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-180, RELATING TO THE PROVISION OF TRANSPORTATION AND CLOTHING FOR CONVICTS WHO HAVE BEEN DISCHARGED, SO AS TO SUBSTITUTE THE TERMS "INMATE" FOR THE TERM "CONVICT" AND THE TERM "STATE PRISON" FOR THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-190, RELATING TO APPROPRIATION OF CLOSE OF THE YEAR BALANCES FOR THE SUPPORT OF THE PENITENTIARY, SO AS TO SUBSTITUTE THE TERM "DEPARTMENT" FOR THE TERM "PENITENTIARY" AND THE TERM "INMATES" FOR THE TERM "CONVICTS"; TO AMEND SECTION 24-3-310, RELATING TO THE GENERAL ASSEMBLY'S INTENT FOR ESTABLISHING A PRISON INDUSTRIES PROGRAM, SO AS TO SUBSTITUTE THE TERM "PRISON" FOR THE TERM "CONVICT", AND "INMATES" FOR THE TERM "CONVICTS"; TO AMEND SECTION 24-3-320, RELATING TO THE PURCHASE OF EQUIPMENT AND MATERIALS AND EMPLOYMENT OF PERSONNEL FOR THE ESTABLISHMENT AND MAINTENANCE OF PRISON INDUSTRIES, SO AS TO MAKE TECHNICAL CHANGES, SUBSTITUTE THE TERM "INMATES" FOR THE TERM "CONVICTS" AND TO DELETE THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-330, RELATING TO THE PURCHASE OF PRODUCTS PRODUCED BY CONVICT LABOR, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-340, RELATING TO THE

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STATE'S PURCHASE OF PRODUCTS THAT ARE NOT PRODUCED BY CONVICT LABOR, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-37-370, RELATING TO THE PRIORITY OF DISTRIBUTION OF PRODUCTS PRODUCED BY CONVICT LABOR, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-400, RELATING TO THE PRISON INDUSTRIES ACCOUNT, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-420, RELATING TO PENALTIES FOR VIOLATIONS OF THE PROVISIONS RELATING TO THE PRISON INDUSTRIES PROGRAM, SO AS TO DELETE THE TERM "JAIL"; TO AMEND SECTION 24-3-520, RELATING TO THE TRANSPORTATION OF A PERSON SENTENCED TO DEATH, SO AS TO REVISE THIS PROVISION AND PROVIDE THAT THE FACILITY MANAGER WHO HAS CUSTODY OF THE INMATE HAS THE AUTHORITY TO TRANSFER HIM TO THE DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 24-3-540, RELATING TO THE DEATH CHAMBER AND THE TRANSPORTING OF A PERSON TO A PLACE TO BE ELECTROCUTED, SO AS TO SUBSTITUTE THE TERM "PRISON SYSTEM" FOR THE TERM "PENITENTIARY", AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-550, RELATING TO WITNESSES THAT MAY BE PRESENT DURING AN EXECUTION, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-560, RELATING TO THE CERTIFICATION OF THE EXECUTION OF A PERSON, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-570, RELATING TO THE DISPOSITION OF THE BODY OF A PERSON WHO HAS BEEN EXECUTED, SO AS TO MAKE TECHNICAL CHANGES, TO SUBSTITUTE THE TERM "INMATES" FOR THE TERM "CONVICTS", AND "PRISON SYSTEM" FOR THE TERM "PENITENTIARY"; TO AMEND SECTION 24-3-710, RELATING TO THE INVESTIGATION OF THE MISCONDUCT THAT OCCURS IN THE PENITENTIARY, SO AS TO MAKE TECHNICAL CHANGES, SUBSTITUTE THE TERM "PRISON SYSTEM" FOR THE TERM "PENITENTIARY", AND PROVIDE THAT THE DIRECTOR OF THE STATE PRISON SYSTEM'S AUTHORITY TO INVESTIGATE MISCONDUCT IN THE STATE PRISON SYSTEM IS THE SAME AUTHORITY THAT AN OFFICIAL IN CHARGE OF A LOCAL FACILITY MAY

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EXERCISE; TO AMEND SECTION 24-3-720, RELATING TO ENLISTING THE AID OF CITIZENS TO SUPPRESS PRISON RIOTS AND DISORDERS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-3-740, RELATING TO THE COMPENSATION OF A PERSON WHO ASSISTS THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-3-750, RELATING TO PROVIDING IMMUNITY TO A PERSON WHO ASSISTS THE DEPARTMENT OF CORRECTIONS IN SUPPRESSING DISORDER, RIOT, OR INSURRECTION, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-760, RELATING TO THE POWERS OF THE KEEPER WHEN THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS IS ABSENT, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-920, AS AMENDED, RELATING TO REWARDS FOR THE CAPTURE OF AN ESCAPED CONVICT, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "CONVICT"; TO AMEND SECTION 24-3-930, RELATING TO EXEMPTING CERTAIN PERSONS EMPLOYED BY THE PENITENTIARY FROM SERVING ON JURIES AND MILITARY OR STREET DUTY, SO AS TO SUBSTITUTE THE TERM "STATE PRISON SYSTEM" FOR THE TERM "PENITENTIARY" AND THE TERM "OTHER EMPLOYEES" FOR THE TERM "OTHER OFFICERS"; TO AMEND SECTION 24-3-940, RELATING TO PROHIBITING PRISONERS FROM GAMBLING, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-3-951, RELATING TO THE POSSESSION OR USE OF MONEY BY PRISONERS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 24-3-965, RELATING TO THE TRIAL OF CERTAIN OFFENSES RELATED TO CONTRABAND IN MAGISTRATES COURT, SO AS TO SUBSTITUTE THE TERM "INMATE" FOR THE TERM "PRISONER", TO PROVIDE THAT THIS PROVISION APPLIES TO REGIONAL DETENTION FACILITIES AND PRISON CAMPS, AND TO DEFINE THE TERM CONTRABAND; TO AMEND SECTION 24-5-10, RELATING TO A SHERIFF'S RESPONSIBILITIES AS THE CUSTODIAN OF A JAIL, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "JAILER" AND MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-5-12, RELATING TO COUNTIES THAT ASSUME CERTAIN RESPONSIBILITIES WITH REGARD TO THE CUSTODY OF COUNTY JAILS, SO AS TO SUBSTITUTE THE

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TERM "FACILITY MANAGER" FOR THE TERM "JAILER", AND TO PROVIDE THE CIRCUMSTANCES IN WHICH A COUNTY CAN DEVOLVE ITS POWER TO OPERATE A JAIL UPON A SHERIFF; TO AMEND SECTION 24-5-20, RELATING TO THE EMPLOYMENT OF A JAILER, SO AS TO DELETE THE PROVISION THAT ALLOWS A SHERIFF WHO DOES NOT LIVE IN A JAIL TO APPOINT A JAILER, TO PROVIDE THAT A SHERIFF WHO HAS CONTROL OF A JAIL SHALL APPOINT A FACILITY MANAGER WHO HAS CONTROL AND CUSTODY OF THE JAIL UNDER THE SUPERVISION OF THE SHERIFF, AND TO PROVIDE THAT IN CASES WHERE THE SHERIFF DOES NOT CONTROL A JAIL, THE COUNTY'S GOVERNING BODY SHALL APPOINT THE FACILITY MANAGER; TO AMEND SECTION 24-5-50, RELATING TO A SHERIFF'S KEEPING OF PRISONERS COMMITTED BY A CORONER, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGERS" FOR THE TERM "JAILERS", AND TO PROVIDE THIS PROVISION ALSO APPLIES TO GOVERNING BODIES THAT HAVE CUSTODY OF A JAIL TECHNICAL CHANGE; TO AMEND SECTION 24-5-60, RELATING TO SHERIFFS AND JAILERS KEEPING PRISONERS COMMITTED BY THE UNITED STATES GOVERNMENT, SO AS TO SUBSTITUTE THE TERM "GOVERNING BODIES" FOR THE TERM "JAILERS", AND TO PROVIDE THAT A SHERIFF OR FACILITY MANAGER MAY CHARGE A FEE FOR KEEPING THESE PRISONERS; TO AMEND SECTION 24-5-80, RELATING TO PROVIDING BLANKETS AND BEDDING TO PRISONERS, SO AS TO REVISE THE ITEMS THAT A PRISONER MUST BE FURNISHED TO INCLUDE SUFFICIENT FOOD, WATER, CLOTHING, HYGIENE PRODUCTS, BEDDING, AND SHELTER; TO AMEND SECTION 24-5-90, RELATING TO THE UNLAWFUL DISCRIMINATION IN THE TREATMENT OF PRISONERS, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "JAILER", AND TO REVISE THE PENALTY FOR A VIOLATION OF THIS PROVISION; TO AMEND SECTION 24-5-110, RELATING TO THE RETURN TO COURT BY A SHERIFF OF THE NAMES OF PRISONERS WHO ARE CONFINED ON THE FIRST DAY OF THE TERM OF GENERAL SESSIONS COURT, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "SHERIFF", AND TO PROVIDE THAT THE USE OF ELECTRONIC RECORDS SATISFIES THIS REQUIREMENT; TO AMEND SECTION 24-5-120, RELATING TO A SHERIFF'S

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ANNUAL REPORT ON THE CONDITION OF A JAIL, SO AS TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "SHERIFF"; TO AMEND SECTION 24-5-170, RELATING TO THE REMOVAL OF PRISONERS FROM A JAIL THAT MAYBE DESTROYED, SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO A JAIL THAT IS RENDERED UNINHABITABLE, AND TO REVISE THE PROCEDURES TO TRANSFER THESE PRISONERS TO ANOTHER FACILITY; TO AMEND SECTIONS 24-5-300, 24-5-310, 24-5-320, AS AMENDED, 24-5-330, 24-5-350, 24-5-360, AS AMENDED, 24-5-370, 24-5-380, AND 24-5-390, ALL RELATING TO DEFINITIONS, AND THE APPOINTMENT, TRAINING, PHYSICAL COMPETENCE, DUTIES, IDENTIFICATION CARDS, UNIFORMS, AND WORKERS' COMPENSATION BENEFITS FOR RESERVE DETENTION OFFICERS, SO AS TO DELETE THE TERM "JAILER"; TO AMEND SECTION 24-7-60, RELATING TO THE CARE OF CONVICTS SENTENCED TO LABOR ON A COUNTY PUBLIC WORKS PROJECT, SO AS TO MAKE TECHNICAL CHANGES, AND TO SUBSTITUTE THE TERM "INMATES" FOR THE TERM "CONVICTS", AND THE TERM "GENERAL FUND" FOR THE TERM "ROAD FUND"; TO AMEND SECTION 24-7-110, RELATING TO THE HEALTH OF CONVICTS IN A COUNTY'S CUSTODY, SO AS TO MAKE TECHNICAL CHANGES, SUBSTITUTE THE TERM "MEDICAL PERSONNEL" FOR THE TERM "PHYSICIAN", "INMATES" FOR THE TERM "CONVICTS", "COUNTY JAIL, DETENTION FACILITY, PRISON CAMP, OR OTHER LOCAL FACILITIES" FOR THE TERM "CHAIN GANG", AND TO REVISE THE PROCEDURE TO PROVIDE AND PAY FOR HEALTH CARE SERVICES FOR INMATES IN A COUNTY'S CUSTODY; TO AMEND SECTION 24-7-120, RELATING TO THE INCARCERATION OF CONVICTS BY MUNICIPAL AUTHORITIES, SO AS TO PROVIDE STANDARDS THAT A MUNICIPAL AUTHORITY MUST MAINTAIN WHEN IT SUPERVISES PERSONS SENTENCED TO A PUBLIC WORK DETAIL, OR OPERATES A JAIL, AND TO REVISE THIS PROVISION TO ALLOW A MUNICIPALITY TO ENTER INTO AGREEMENTS TO HOUSE THEIR PRISONERS IN COUNTY FACILITIES; TO AMEND SECTION 24-7-155, RELATING TO THE PROHIBITION OF CONTRABAND IN A COUNTY OR MUNICIPAL PRISON, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO MULTI-JURISDICTIONAL FACILITIES, TO

TUESDAY, JANUARY 13, 2009

SUBSTITUTE THE TERM "INMATE" FOR THE TERM "PRISONER", TO DELETE A REFERENCE TO THE TERM "SUPERINTENDENT OF THE FACILITY", AND TO PROVIDE THAT THE FACILITY MAY DESIGNATE ADDITIONAL ITEMS OF CONTRABAND THAT ARE PROHIBITED; TO AMEND SECTION 24-9-30, RELATING TO MINIMUM STANDARDS THAT MUST BE MET BY FACILITIES THAT HOUSE PRISONERS OR PRETRIAL DETAINEES, SO AS TO DELETE THE PROVISION THAT REQUIRES A COPY OF CERTAIN INSPECTION REPORTS BE SENT TO CERTAIN JUDGES OF THE JUDICIAL CIRCUIT IN WHICH THE FACILITY IS LOCATED, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 24-9-35, RELATING TO REPORTS OF DEATHS OF INCARCERATED PERSONS, SO AS TO MAKE TECHNICAL CHANGES, PROVIDE THAT THIS PROVISION APPLIES TO MULTI-JURISDICTIONAL FACILITIES AND TO SUBSTITUTE THE TERM "FACILITY MANGER" FOR THE TERM "JAILER"; TO AMEND SECTION 24-9-40, RELATING TO THE CERTIFICATION OF ARCHITECTURAL PLANS BEFORE A CONFINEMENT FACILITY IS CONSTRUCTED, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO THE RENOVATION OF CONFINEMENT FACILITIES; TO AMEND SECTIONS 24-13-10, 24-13-20, 24-13-30, 24-13-40, 24-13-50, 24-13-80, 24-13-125, 24-13-150, 24-13-210, 24-13-230, 24-13-235, 24-13-260, 24-13-410, 24-13-420, 24-13-430, 24-13-440, 24-13-450, 24-13-460, 24-13-470, 24-13-640, 24-13-660, 24-13-910, 24-13-915, 24-13-940, AND 24-13-1540, ALL RELATING TO THE INCARCERATION OF PRISONERS, THE REDUCTION IN A PRISONER'S SENTENCE, PRISONER OFFENSES, THE PRISON WORK RELEASE PROGRAM, FURLOUGHS, THE SHOCK INCARCERATION PROGRAM, AND THE HOME DETENTION PROGRAM, SO AS TO SUBSTITUTE THE TERM "LOCAL DETENTION FACILITIES" FOR THE TERM "CHAIN GANGS", SUBSTITUTE THE TERMS "INMATES" AND "CONVICTS" FOR THE TERM "PRISONERS", TO MAKE TECHNICAL CHANGES, TO SUBSTITUTE THE TERM "FACILITY MANAGER" FOR THE TERM "OFFICIAL", TO REVISE THE DEFINITION OF THE TERM "DETENTION FACILITY", TO REVISE THE TYPE AND COST OF MEDICAL SERVICES THAT MAYBE PAID FROM AN INMATE'S ACCOUNT, TO PROVIDE THAT IT IS UNLAWFUL FOR A PRISONER TO ESCAPE FROM CUSTODY OR TO POSSESS

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ITEMS THAT MAY BE USED TO FACILITATE AN ESCAPE, AND TO DELETE A REFERENCE TO THE TERM "LOCAL CORRECTIONAL FACILITY"; TO AMEND SECTION 16-7-140, RELATING TO PENALTIES FOR VIOLATING PROVISIONS THAT PROHIBIT THE WEARING OF MASKS AND PLACING A BURNING CROSS ON A PROPERTY WITHOUT ITS OWNER'S PERMISSION, SO AS TO DELETE A REFERENCE TO THE TERM "COUNTY JAIL"; TO AMEND SECTION 20-7-1350, AS AMENDED, RELATING TO PENALTIES FOR A PERSON'S FAILURE TO OBEY CERTAIN ORDERS OF A COURT AND STATUTES RELATING TO THE CHILDREN'S CODE OF LAW, SO AS TO SUBSTITUTE THE TERM "DETENTION FACILITY" FOR THE TERM "CORRECTIONAL FACILITY", AND TO DELETE A PROVISION THAT PLACES RESTRICTIONS ON WHO MAY PARTICIPATE IN A WORK/PUNISHMENT PROGRAM; TO REPEAL SECTIONS 24-3-150, 24-3-200, 24-5-30, 24-5-70, 24-5-100, 24-5-140, 24-5-150, 24-5-160, 24-7-70, 24-7-80, 24-7-130, 24-7-140, AND 24-7-150 RELATING TO THE TRANSFER OF CONVICTS TO A COUNTY CHAIN GANG, THE TRANSFER OF A PRISONER TO A COUNTY OTHER THAN THE COUNTY WHERE HE WAS SENTENCED, THE APPOINTMENT OF A JAILER BY A SHERIFF, THE USE OF FEDERAL PRISONERS BY A COUNTY, A SHERIFF'S IMPRESSING A SUFFICIENT NUMBER OF GUARDS TO SECURE A PRISONER WHO IS ACCUSED OF A CAPITAL OFFENSE, THE HOUSING OF FEMALE CONVICTS, THE CONFINEMENT OF PERSONS CHARGED WITH A CRIME IN A PRISON LOCATED IN AN INDUSTRIAL COMMUNITY, THE LEASE OF COUNTY CONVICTS, THE DIETING AND CLOTHING AND MAINTENANCE OF CERTAIN PRISONERS BY LOCAL GOVERNMENTAL AUTHORITIES, AND THE COLLECTION AND DISPOSITION OF MONEY BY A COUNTY FOR THE HIRING OF CONVICTS; BY ADDING ARTICLE 2 TO CHAPTER 5, TITLE 24 SO AS TO ENACT THE LOCAL DETENTION FACILITY MUTUAL AID AND ASSISTANCE ACT TO ALLOW LOCAL DETENTION FACILITIES TO ASSIST EACH OTHER IN PROVIDING SAFE AND SECURE HOUSING OF INMATES UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 24-21-560, RELATING TO THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES COMMUNITY SUPERVISION PROGRAM, SO AS TO REVISE THE MAXIMUM

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AGGREGATE AMOUNT OF TIME A PRISONER MAY BE REQUIRED TO BE INCARCERATED WHEN SENTENCED FOR SUCCESSIVE COMMUNITY SUPERVISION PROGRAM REVOCATIONS.

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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 218 -- Senators Fair and Leventis: A BILL TO AMEND SECTIONS 24-13-210 AND 24-13-230, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GOOD BEHAVIOR, WORK, AND ACADEMIC CREDITS, SO AS TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS TO ESTABLISH POLICIES AND PROCEDURES TO RESTORE TO AN INMATE GOOD-TIME CREDIT LOST FOR A DISCIPLINARY ACTION IF THE INMATE IS NOT FOUND GUILTY OF A SUBSEQUENT DISCIPLINARY ACTION, TO ALLOW THE DIRECTOR TO AWARD GOOD-TIME CREDIT TO AN INMATE WHO PERFORMS CERTAIN MERITORIOUS ACTS, AND TO PROVIDE THAT THE DIRECTOR MUST ESTABLISH POLICIES AND PROCEDURES TO ALLOW CERTAIN PRISONERS WHO ARE ENROLLED IN CERTAIN PROGRAMS THAT INCLUDE SELF-HELP PROGRAMS TO RECEIVE A REDUCTION IN THEIR SENTENCES; TO AMEND SECTION 24-27-200, RELATING TO THE FORFEITURE OF WORK, EDUCATION, OR GOOD CONDUCT CREDITS, SO AS TO PROVIDE THAT A REDUCTION IN THESE CREDITS MAY BE IMPLEMENTED PURSUANT TO AN ADMINISTRATIVE LAW JUDGE'S RECOMMENDATION; AND TO AMEND SECTION 30-4-40, AS AMENDED, RELATING TO MATTERS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO PROVIDE THAT CERTAIN ARCHITECTURAL PLANS, DRAWINGS, OR SCHEMATICS OR LAW ENFORCEMENT POLICIES WHOSE DISCLOSURE WOULD REASONABLY BE USED TO FACILITATE AN ESCAPE FROM LAWFUL CUSTODY MAY BE EXEMPT FROM DISCLOSURE.

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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

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S. 219 -- Senators Grooms, Campsen and Rose: A BILL TO AMEND SECTION 11-9-880, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FORECASTS OF ECONOMIC CONDITIONS MADE BY THE BOARD OF ECONOMIC ADVISORS, ADJUSTMENTS TO THOSE FORECASTS, REVENUE REVIEWS, THE PRODUCTION OF A SYNOPSIS OF REVENUE SHORTFALLS, AND THE PUBLICATION OF REPORTS, TO PROVIDE THAT THE FINAL REVENUE FORECAST PRODUCED BY THE BOARD OF ECONOMIC ADVISORS IS LIMITED TO A THREE PERCENT INCREASE OVER THE PREVIOUS YEAR'S FINAL FORECAST, TO PROVIDE THAT HALF OF ANY REVENUE COLLECTED IN EXCESS OF THE FINAL FORECAST MUST BE CREDITED TO THE STATE BUDGET SURPLUS TAX RELIEF FUND AND HALF OF THE REVENUE COLLECTED IN EXCESS OF THE FINAL FORECAST MUST BE CREDITED TO THE DEPARTMENT OF TRANSPORTATION STATE NONFEDERAL AID HIGHWAY FUND; BY ADDING SECTION 11-11-360 SO AS TO ESTABLISH THE STATE BUDGET SURPLUS TAX RELIEF FUND AND PROVIDE THAT REVENUE IN THIS FUND MUST BE USED TO OFFSET REVENUES NOT COLLECTED BECAUSE OF THE INCOME TAX CREDIT ADDED BY THIS ACT AND PROVIDE FOR THE CALCULATION OF THE CREDIT; AND BY ADDING SECTION 12-6-3490 SO AS TO ALLOW AN INDIVIDUAL INCOME TAX CREDIT FOR TAXPAYERS WHO FILED INCOME TAX RETURNS REPORTING AN INDIVIDUAL INCOME TAX LIABILITY FOR THE PRIOR TAXABLE YEAR.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 220 -- Senator Grooms: A BILL TO AMEND SECTIONS 48-52-210 AND 48-52-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE STATE ENERGY POLICY, SO AS TO ENCOURAGE THE USE OF NUCLEAR ENERGY AND TO ENSURE THAT ANY STATE ENERGY STRATEGY THAT PROMOTES CARBON-FREE, NONGREENHOUSE GAS EMITTING SOURCES INCLUDES NUCLEAR ENERGY AND RENEWABLE ENERGY RESOURCES; AND BY ADDING SECTION 48-52-215 TO DEFINE "RENEWABLE ENERGY

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RESOURCES" FOR PURPOSES OF THE SOUTH CAROLINA ENERGY EFFICIENCY ACT.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 221 -- Senators Grooms, Bryant, Rose, Shoopman, Massey and Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 1, TITLE 1 SO AS TO ENACT THE "SOUTH CAROLINA TRUTH IN SPENDING ACT" TO PROVIDE THAT EACH AGENCY, DEPARTMENT, AND INSTITUTION OF STATE GOVERNMENT AND EACH LOCAL GOVERNMENTAL ENTITY MUST MAINTAIN A DETAILED TRANSACTION REGISTER OF ALL FUNDS EXPENDED EACH MONTH AND POST THAT REGISTER ONLINE, TO PROVIDE THAT EACH AGENCY, DEPARTMENT, AND INSTITUTION OF STATE GOVERNMENT AND EACH LOCAL GOVERNMENTAL ENTITY MUST POST ONLINE ALL OF ITS CREDIT CARD STATEMENTS AND THE CREDIT CARD STATEMENTS FOR CREDIT CARDS ISSUED TO PUBLIC OFFICIALS AND EMPLOYEES FOR PUBLIC USE, AND TO PROVIDE THAT EACH LOCAL GOVERNMENTAL ENTITY MUST ANNUALLY POST ONLINE A LISTING OF ITS FULL TIME EMPLOYEES GROUPED BY CLASS ALONG WITH THE NUMBER OF FULL TIME POSITIONS IN EACH CLASS AND THE AVERAGE SALARY IN EACH CLASS.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 222 -- Senator Grooms: A BILL TO AMEND SECTION 57-1-360 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S CHIEF INTERNAL AUDITOR, TO PROVIDE THAT A CERTIFIED INTERNAL AUDITOR MAY SERVE AS CHIEF INTERNAL AUDITOR AND TO CLARIFY THAT THE CHIEF INTERNAL AUDITOR IS RESPONSIBLE FOR SUPERVISING PERSONNEL IN THE CHIEF INTERNAL AUDITOR'S OFFICE; AND TO AMEND SECTION 57-1-370, TO PROVIDE THAT THE SECRETARY OF TRANSPORTATION

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MUST APPROVE CERTAIN PROJECTS BEFORE WORK MAY BEGIN, TO PROVIDE THAT THE SECRETARY MUST CERTIFY THAT THE PROJECTS MUST BE APPROVED BASED UPON OBJECTIVE AND QUANTIFIABLE FACTORS, AND TO PROVIDE THAT THE SECRETARY MUST MAKE A MONTHLY REPORT TO THE COMMISSION CONCERNING THE APPROVALS HE MAKES PURSUANT TO THIS SECTION.

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Prefiled and referred to the Committee on Transportation.

Read the first time and referred to the Committee on Transportation.

S. 223 -- Senator Lourie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-1-145, TO ENACT THE "PROVISIONS FOR COST OF ANIMAL CARE ACT OF 2009", TO PROVIDE THAT THE CUSTODIAN OF AN ANIMAL TAKEN INTO CUSTODY DUE TO CIVIL OR CRIMINAL VIOLATIONS BY ITS OWNER MAY PETITION THE COURT FOR EXPENSES RELATED TO PROVIDING CARE TO THE ANIMAL, TO ESTABLISH PROCEDURES FOR HEARING SUCH PETITIONS AND FOR THE COLLECTION AND USE OF FUNDS ORDERED TO BE PAID, TO PROVIDE THAT A PERSON WHO FAILS TO PAY SUCH FUNDS FORFEITS RIGHTS OF OWNERSHIP TO THE ANIMAL, TO PROVIDE FOR THE DISPOSITION OF SUCH AN ANIMAL, AND TO PROVIDE FOR THE RETURN OF FUNDS WHEN A PERSON IS NOT FOUND TO BE IN VIOLATION; TO AMEND SECTION 47-1-130, RELATING TO CRUELTY TO ANIMALS, TO PROVIDE THAT AGENTS OF THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, OR ANY OTHER SOCIETY DULY INCORPORATED FOR THAT PURPOSE, MAY ASSIST WITH A LAWFUL INVESTIGATION OF THIS CHAPTER, BUT MAY ONLY EFFECTUATE AN ARREST OF A PERSON IF THEY HAVE BEEN VESTED WITH THE POWER TO ARREST BY A SHERIFF OR THE GOVERNING BODY OF A COUNTY OR MUNICIPALITY; AND TO AMEND SECTION 47-1-140, RELATING TO NOTICE PROVIDED TO THE OWNER OF ANIMALS WHICH HAVE BEEN SEIZED FROM OTHERS UPON ARREST, TO REMOVE SPECIAL PROVISIONS FOR AGENTS OF THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, OR ANY OTHER SOCIETY DULY INCORPORATED FOR THAT PURPOSE.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 224 -- Senator Knotts: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE EXECUTIVE DEPARTMENT, BY ADDING SECTION 1A SO AS TO PROVIDE THAT WHILE THE GOVERNOR IS PHYSICALLY ABSENT FROM THE STATE, ALL OF THE POWERS, DUTIES, AND RESPONSIBILITIES OF THE GOVERNOR UNDER THE CONSTITUTION AND THE LAWS OF THIS STATE ARE DEVOLVED UPON THE LIEUTENANT GOVERNOR FOR THE DURATION OF THE TIME THE GOVERNOR IS PHYSICALLY ABSENT FROM THE STATE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 225 -- Senators Knotts and Rose: A BILL TO AMEND SECTION 25-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE SOUTH CAROLINA STATE GUARD, SO AS TO AUTHORIZE THE ADJUTANT GENERAL TO ESTABLISH AN EMERGENCY AIR WING WITHIN THE STATE GUARD AND PROVIDE FOR THE ORGANIZATION AND DUTIES OF THE EMERGENCY AIR WING AND FOR THE LIABILITY OF AIRPLANES USED BY VOLUNTEER PARTICIPANTS IN THE EMERGENCY AIR WING; TO AMEND SECTION 15-78-60, AS AMENDED, RELATING TO EXCEPTIONS TO LIABILITY UNDER THE TORT CLAIMS ACT, SO AS TO PROVIDE THAT THE USE OF ANY VEHICLE OR AIRPLANE OPERATED FOR TRAINING OR DUTY BY THE EMERGENCY AIR WING OF THE STATE GUARD SHALL CONVEY LIABILITY UPON THE SOUTH CAROLINA NATIONAL GUARD, SOUTH CAROLINA STATE GUARD, OR STATE OF SOUTH CAROLINA ONLY AFTER THE REQUIRED LIABILITY INSURANCE ON THE VEHICLE OR AIRPLANE HAS BEEN FULLY APPLIED; AND TO AMEND SECTION 42-7-50, RELATING TO POLITICAL SUBDIVISIONS AND OTHER

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ENTITIES WHICH MAY PARTICIPATE IN THE WORKERS' COMPENSATION INSURANCE PROGRAM, SO AS TO PROVIDE THAT RECOVERY OF WORKERS' COMPENSATION BENEFITS BY MEMBERS OF THE EMERGENCY AIR WING OF THE SOUTH CAROLINA STATE GUARD SHALL BE PAYABLE FROM THE GENERAL FUND OF THE STATE OF SOUTH CAROLINA.

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Prefiled and referred to the General Committee.

Read the first time and referred to the General Committee.

S. 226 -- Senator Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-125 SO AS TO PROVIDE THAT WHILE THE GOVERNOR IS PHYSICALLY ABSENT FROM THE STATE, ALL OF THE POWERS, DUTIES, AND RESPONSIBILITIES OF THE GOVERNOR UNDER THE LAWS OF THIS STATE ARE DEVOLVED UPON THE LIEUTENANT GOVERNOR FOR THE DURATION OF THE TIME THE GOVERNOR IS PHYSICALLY ABSENT FROM THE STATE.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

S. 227 -- Senator Verdin: A BILL TO AMEND CHAPTER 1, TITLE 49 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING WATER, WATER RESOURCES, AND DRAINAGE, BY ADDING SECTION 49-1-100 TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MUST COORDINATE WITH THE DEPARTMENT OF TRANSPORTATION TO ERECT APPROPRIATE SIGNS AND MARKERS ALONG THE STATE HIGHWAY SYSTEM THAT IDENTIFY THE RIVER BASINS THROUGHOUT THE STATE, AND TO PROVIDE THAT THE COSTS ASSOCIATED WITH THE SIGNS MUST BE BORNE BY THE DEPARTMENT OF NATURAL RESOURCES.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

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S. 228 -- Senator Bryant: A BILL TO AMEND SECTION 12-43-217 OF THE 1976 CODE, RELATING TO QUADRENNIAL REASSESSMENT, TO PROVIDE THAT THE MILLAGE RATE IN EFFECT AT THE END OF DECEMBER OF THE FOURTH YEAR MUST BE USED WHEN CALCULATING WHETHER PROPERTY VALUATION HAS RESULTED IN A CHANGE IN VALUE OF ONE THOUSAND DOLLARS OR MORE, AND TO PROVIDE THAT NOTICES OF ANY CHANGE IN VALUE OR CLASSIFICATION MUST BE MAILED TO TAXPAYERS AT LEAST SIXTY DAYS PRIOR TO THE END OF THE COUNTY'S FISCAL YEAR.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 229 -- Senators Bryant, Rose, Shoopman and Massey: A BILL TO AMEND CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO THE ADMINISTRATION OF GOVERNMENT, BY ADDING ARTICLE 17, THE TRUTH IN SPENDING ACT, TO PROVIDE THAT THE COMPTROLLER GENERAL FOR EACH AGENCY, DEPARTMENT, AND INSTITUTION OF STATE GOVERNMENT AND EACH LOCAL GOVERNMENTAL ENTITY MUST MAINTAIN A DETAILED TRANSACTION REGISTER OF ALL FUNDS EXPENDED EACH MONTH AND POST THAT REGISTER ONLINE, TO PROVIDE THAT THE COMPTROLLER GENERAL FOR EACH AGENCY, DEPARTMENT, AND INSTITUTION OF STATE GOVERNMENT AND EACH LOCAL GOVERNMENTAL ENTITY MUST POST ONLINE ALL OF ITS CREDIT CARD STATEMENTS AND THE CREDIT CARD STATEMENTS FOR CREDIT CARDS ISSUED TO PUBLIC OFFICIALS AND EMPLOYEES FOR PUBLIC USE, AND TO PROVIDE THAT EACH LOCAL GOVERNMENTAL ENTITY MUST ANNUALLY POST ONLINE A LISTING OF ITS FULL TIME EMPLOYEES GROUPED BY CLASS ALONG WITH THE NUMBER OF FULL TIME POSITIONS IN EACH CLASS AND THE AVERAGE SALARY IN EACH CLASS.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

TUESDAY, JANUARY 13, 2009

S. 230 -- Senator Campsen: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE VALUATION ASSESSMENT RATIOS FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE THAT A SINGLE-MEMBER LIMITED LIABILITY COMPANY (LLC) OWNING RESIDENTIAL REAL PROPERTY WHERE THE SINGLE MEMBER IS AN INDIVIDUAL AND THE LLC IS NOT TAXED AS A CORPORATION QUALIFIES FOR THE SPECIAL ASSESSMENT RATIO ALLOWED OWNER-OCCUPIED RESIDENTIAL PROPERTY IF THE LLC MEETS ALL REQUIREMENTS FOR THAT SPECIAL ASSESSMENT RATIO.

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Prefiled and referred to the Committee on Finance.

Read the first time and referred to the Committee on Finance.

S. 231 -- Senators Campsen and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT "THE BOARDS AND COMMISSIONS ELECTION REFORM ACT", BY ADDING SECTION 8-13-940, RELATING TO FORM AND REPORTS BY CANDIDATES FOR ELECTION BY THE GENERAL ASSEMBLY, TO PROVIDE FOR THE DEFINITION OF CAMPAIGN CONTRIBUTION REPORT, TO PROVIDE THAT CANDIDATES FOR ELECTION BY THE GENERAL ASSEMBLY MUST FILE A CAMPAIGN CONTRIBUTION REPORT WITH THE HOUSE AND SENATE ETHICS COMMITTEE, TO PROVIDE THAT NO VOTE CAN BE TAKEN ON A CANDIDATE FOR ELECTION UNTIL TEN DAYS AFTER THE REPORT IS FILED, TO PROVIDE THAT A CAMPAIGN CONTRIBUTION REPORT MUST ACCOMPANY THE APPOINTMENT TRANSMISSION TO THE SENATE, TO PROVIDE THAT AN APPOINTEE MAY NOT BE CONFIRMED UNLESS THE REPORT ACCOMPANIES THE TRANSMISSION TO THE SENATE, AND TO PROHIBIT CAMPAIGN CONTRIBUTIONS FROM CANDIDATES AND APPOINTEES TO CANDIDATES FOR OR MEMBERS OF THE GENERAL ASSEMBLY.

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Prefiled and referred to the Committee on Judiciary.

Read the first time and referred to the Committee on Judiciary.

TUESDAY, JANUARY 13, 2009

S. 232 -- Senators Ryberg, Hutto and Massey: A BILL TO AMEND SECTION 48-52-210 OF THE 1976 CODE, RELATING TO THE PLAN FOR THE STATE ENERGY POLICY, TO ENCOURAGE THE USE OF CLEAN ENERGY SOURCES; AND TO AMEND ARTICLE 2, CHAPTER 52, TITLE 48, BY ADDING SECTION 48-52-220 TO PROVIDE A DEFINITION FOR "RENEWABLE ENERGY RESOURCES".

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 233 -- Senators L. Martin, McConnell and Peeler: A SENATE RESOLUTION TO ADOPT RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.

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The Senate Resolution was adopted.

S. 234 -- Senator Rose: A BILL TO REQUIRE THE SUPERINTENDENT OF DORCHESTER COUNTY SCHOOL DISTRICT NO. 2 TO PREPARE AND SUBMIT TO THE COUNTY AND THE MUNICIPALITIES WITHIN DORCHESTER SCHOOL DISTRICT NO. 2 AN ANNUAL REPORT DETAILING INFORMATION REGARDING THE IMPACT OF DEVELOPMENT ON SCHOOLS WITHIN THE DISTRICT, TO REQUEST FROM THE COUNTY AND ALL MUNICIPALITIES WITH LAND ENCOMPASSED BY THE DISTRICT APPLICATIONS FOR LAND DEVELOPMENT PROJECTS THAT INCLUDE RESIDENTIAL HOUSING THAT MEET CERTAIN CRITERIA, TO DETERMINE WHETHER A PARTICULAR PROJECT WILL RESULT IN A SUBSTANTIAL IMPACT ON THE DISTRICT'S ABILITY TO PROVIDE SERVICES TO THE ADDITIONAL STUDENT POPULATION, AND TO PREPARE AND SUBMIT A REPORT TO THE COUNTY AND ALL MUNICIPALITIES WITHIN THE DISTRICT DETAILING THE IMPACT AND NEED FOR ADDITIONAL RESOURCES.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

TUESDAY, JANUARY 13, 2009

S. 235 -- Senator Rose: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES FOR DORCHESTER SCHOOL DISTRICT NO. 2 TO IMPOSE AN IMPACT FEE ON ANY DEVELOPER FOR EACH NEW RESIDENTIAL DWELLING UNIT CONSTRUCTED BY THE DEVELOPER WITHIN THE SCHOOL DISTRICT, TO PROVIDE THAT THE FUNDS MAY ONLY BE USED FOR THE CONSTRUCTION OF PUBLIC EDUCATION FACILITIES FOR GRADES K-12 WITHIN THE DISTRICT AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON EXISTING OR NEW BONDS ISSUED BY THE DISTRICT, AND TO PROVIDE THAT THE IMPACT FEE SHALL BE SET AT AN AMOUNT NOT TO EXCEED THE COST THAT EACH ADDITIONAL DWELLING UNIT IMPOSES ON THE SCHOOL DISTRICT FOR PUBLIC EDUCATION FACILITIES.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 236 -- Senator Ford: A BILL TO AMEND ACT 340 OF 1967, AS AMENDED, ACT 924 OF 1970, AS AMENDED, ACT 245 OF 1979, AS AMENDED, ACT 523 OF 1982, AND ACT 580 OF 1984, ALL RELATING TO THE CONSTITUENT SCHOOL DISTRICT BOARDS OF TRUSTEES IN CHARLESTON COUNTY, SO AS TO PROVIDE THAT MEMBERS OF THE CONSTITUENT SCHOOL DISTRICT BOARDS OF TRUSTEES MUST BE APPOINTED BY THE CHARLESTON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES; TO PROVIDE THAT MEMBERS SERVING ON THE CONSTITUENT SCHOOL DISTRICT BOARDS OF TRUSTEES AS OF THE EFFECTIVE DATE OF THIS ACT SHALL CONTINUE TO SERVE UNTIL THEIR TERMS END AND UNTIL THEIR SUCCESSORS ARE APPOINTED BY THE CHARLESTON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES; AND TO REPEAL ACT 397 OF 1973 AND SECTION 2 OF ACT 231 OF 1983, BOTH RELATING TO ELECTION OF MEMBERS OF THE CONSTITUENT SCHOOL DISTRICT BOARDS OF TRUSTEES IN CHARLESTON COUNTY.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

TUESDAY, JANUARY 13, 2009

S. 237 -- Senator Scott: A BILL TO AMEND SECTION 59-150-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PAYMENT OF LOTTERY PRIZES IN CONNECTION WITH THE SOUTH CAROLINA EDUCATION LOTTERY, SO AS TO ALLOW CERTAIN PERSONS, OTHERWISE PROHIBITED FROM PURCHASING A LOTTERY TICKET OR SHARE AND BEING PAID A PRIZE FOR A WINNING LOTTERY TICKET OR SHARE, TO PURCHASE AND WIN A PRIZE IN CONNECTION WITH A MULTI-STATE LOTTERY PRODUCT OFFERED BY THE SOUTH CAROLINA EDUCATION LOTTERY.

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Read the first time and referred to the Committee on Education.

S. 238 -- Senator McConnell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-2647 SO AS TO PROVIDE THAT THE SALES, USE, AND CASUAL EXCISE TAX REVENUES IN A FISCAL YEAR FROM THE SALE, USE, OR TITLING OF A VEHICLE REQUIRED TO BE REGISTERED AND LICENSED BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES MUST BE CREDITED TO THE STATE HIGHWAY FUND AND AN EQUAL AMOUNT OF NONSTATE TAX SOURCE STATE HIGHWAY FUND REVENUES TRANSFERRED TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK TO PROVIDE FOR THE USE OF THESE REVENUES; AND TO AMEND SECTION 11-43-160, AS AMENDED, RELATING TO REVENUE SOURCES OF THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO INCLUDE THE REVENUES DERIVED PURSUANT TO SECTION 12-36-2647 AS ADDED BY THIS ACT.

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Read the first time and referred to the Committee on Finance.

S. 239 -- Senator Massey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-7-67 ENACTING THE "APPROPRIATIONS BILL EARMARK DISCLOSURE ACT", TO PROVIDE FOR THE DISCLOSURE OF INFORMATION SURROUNDING EARMARKS REQUESTED BY MEMBERS OF THE GENERAL ASSEMBLY FOR INCLUSION IN AN APPROPRIATIONS BILL, TO PROVIDE DEFINITIONS APPLICABLE FOR THIS DISCLOSURE, AND TO PROVIDE FOR

TUESDAY, JANUARY 13, 2009

THE ENFORCEMENT OF THESE DISCLOSURE REQUIREMENTS.

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Read the first time and referred to the Committee on Finance.

S. 240 -- Senator Rose: A BILL TO AMEND SECTION 6-1-920 OF THE 1976 CODE, RELATING TO DEVELOPMENT IMPACT FEES, TO AMEND THE DEFINITION OF "PUBLIC FACILITIES" TO INCLUDE PUBLIC EDUCATION FACILITIES FOR GRADES K-12.

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Read the first time and referred to the Committee on Finance.

S. 241 -- Senator Rose: A BILL TO AMEND SECTION 9-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA RETIREMENT SYSTEM (SCRS), SO AS TO PROVIDE THAT "EMPLOYEE" AS DEFINED FOR PURPOSES OF THE SCRS DOES NOT INCLUDE SPECIFIED ELECTION WORKERS AND ELECTION OFFICIALS; AND TO AMEND SECTION 12-6-1140, AS AMENDED, RELATING TO DEDUCTIONS FROM TAXABLE INCOME OF INDIVIDUALS FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW A DEDUCTION FOR COMPENSATION FOR POLL WORKERS AND POLL OFFICIALS AT A POLLING PLACE ON THE DAY OF AN ELECTION.

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Read the first time and referred to the Committee on Finance.

S. 242 -- Senators Ryberg, L. Martin, Bryant, Fair, Knotts and Davis: A BILL TO CLOSE THE TEACHER AND EMPLOYEE RETENTION INCENTIVE (TERI) PROGRAM TO NEW PARTICIPANTS EFFECTIVE JULY 1, 2009; TO REPEAL ARTICLE 17, CHAPTER 1, TITLE 9 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF THE TERI PROGRAM; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MAY NOT BE AMENDED OR REPEALED EXCEPT IN SEPARATE LEGISLATION RECEIVING AN AFFIRMATIVE TWO-THIRDS RECORDED VOTE IN EACH HOUSE OF THE GENERAL ASSEMBLY.

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TUESDAY, JANUARY 13, 2009

Read the first time and referred to the Committee on Finance.

S. 243 -- Senator L. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-37-45 SO AS TO PROVIDE CERTAIN DEFINITIONS, AND TO PROVIDE GROUNDS AND PROCEDURES FOR AN EXPEDITED TENANT EJECTMENT; TO AMEND SECTION 8-21-1010, RELATING TO THE SCHEDULE OF FEES AND COSTS COLLECTED BY MAGISTRATES, SO AS TO PROVIDE A FILING FEE FOR AN ACTION FOR EXPEDITED TENANT EJECTMENT; TO AMEND SECTION 22-1-17, RELATING TO CONTINUING EDUCATION FOR MAGISTRATES, SO AS TO PROVIDE SOUTH CAROLINA COURT ADMINISTRATION MAY ESTABLISH A CONTINUING EDUCATION PROGRAM CONCERNING LANDLORD AND TENANT RIGHTS THAT MAGISTRATES, LANDLORDS, TENANTS, AND LAW ENFORCEMENT OFFICIALS MAY ATTEND.

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Read the first time and referred to the Committee on Judiciary.

S. 244 -- Senator McConnell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 27 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE THAT EACH STATE BOARD AND COMMISSION SHALL TAKE A RECORDED VOTE OF AN ACTION IT TAKES WHEN AWARDED COMPENSATION OR A METHODOLOGY FOR COMPUTING COMPENSATION OR BONUSES.

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Read the first time and referred to the Committee on Judiciary.

S. 245 -- Senator McConnell: A BILL TO AMEND SECTION 63-3-530 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS ADDED BY ACT 361 OF 2008, RELATING TO CHILD SUPPORT PAYMENTS, TO PERMIT A FAMILY COURT JUDGE TO MAKE AN ORDER FOR CHILD SUPPORT RUN PAST THE AGE OF EIGHTEEN IF THE CHILD IS ENROLLED AND STILL ATTENDING HIGH SCHOOL, NOT TO EXCEED HIGH SCHOOL GRADUATION OR THE END OF THE SCHOOL YEAR AFTER THE CHILD REACHES NINETEEN YEARS OF AGE, WHICHEVER OCCURS FIRST.

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TUESDAY, JANUARY 13, 2009

Read the first time and referred to the Committee on Judiciary.

S. 246 -- Senator Rose: A BILL TO AMEND CHAPTER 3, TITLE 5 OF THE 1976 CODE, BY ADDING SECTION 5-3-370, TO PROVIDE THAT WHEN A MUNICIPALITY ANNEXES PROPERTY IN A COUNTY, ANY COUNTY DENSITY REQUIREMENT OR REGULATION REMAINS IN EFFECT AND APPLIES TO THE ANNEXED AREA FOR FIVE YEARS AFTER THE ANNEXATION, UNLESS OTHERWISE APPROVED BY THE COUNTY GOVERNING BODY, AND TO ALLOW THE COUNTY GOVERNING BODY TO APPROVE A PROPOSAL BY THE MUNICIPALITY FOR GREATER DENSITY FOR A DEFINED AREA WITHIN THE ANNEXED PROPERTY.

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Read the first time and referred to the Committee on Judiciary.

S. 247 -- Senator Rose: A BILL TO AMEND CHAPTER 3, TITLE 5 OF THE 1976 CODE, BY ADDING SECTION 5-3-370 TO DEFINE CONCURRENCY REQUIREMENT, TO PROVIDE THAT WHEN A MUNICIPALITY ANNEXES PROPERTY IN A COUNTY THAT HAS A LAND USE OR ZONING POLICY, PLAN, REGULATION, OR ORDINANCE REQUIRING CONCURRENCY OF PUBLIC FACILITIES WITH DEVELOPMENT, THE COUNTY CONCURRENCY REQUIREMENT MUST REMAIN IN EFFECT FOR A DEFINED PERIOD AND TO ALLOW THE COUNTY GOVERNING BODY TO APPROVE A PROPOSAL BY THE MUNICIPALITY FOR A LESSER CONCURRENCY REQUIREMENT FOR A DEFINED AREA WITHIN THE ANNEXED PROPERTY.

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Read the first time and referred to the Committee on Judiciary.

S. 248 -- Senator L. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-95 SO AS TO CREATE THE OFFENSE OF UNLAWFULLY PROVIDING BEER OR WINE TO A PERSON UNDER THE AGE OF TWENTY-ONE WHEN GREAT BODILY INJURY OR DEATH RESULTS TO THE PERSON UNDER THE AGE OF TWENTY-ONE OR TO ANOTHER PERSON AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 61-6-4083 SO AS TO CREATE THE OFFENSE OF UNLAWFULLY PROVIDING ALCOHOLIC

TUESDAY, JANUARY 13, 2009

LIQUORS TO A PERSON UNDER THE AGE OF TWENTY-ONE WHEN GREAT BODILY INJURY OR DEATH RESULTS TO THE PERSON UNDER THE AGE OF TWENTY-ONE OR TO ANOTHER PERSON AND TO PROVIDE PENALTIES.

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Read the first time and referred to the Committee on Judiciary.

S. 249 -- Senator Rose: A BILL TO AMEND CHAPTER 29, TITLE 6 OF THE 1976 CODE, BY ADDING SECTION 6-29-1153 TO PROVIDE THAT A GOVERNING BODY AND A LOCAL PLANNING COMMISSION SERVICING AN AREA IN A HIGH GROWTH COUNTY MUST PROVIDE THE LOCAL SCHOOL DISTRICT LAND DEVELOPMENT APPLICATIONS THAT INCLUDE RESIDENTIAL HOUSING WHICH MEET CERTAIN CRITERIA; AND TO REQUIRE THE SUPERINTENDENT AND BOARD OF TRUSTEES OF THE SCHOOL DISTRICT TO DETERMINE WHETHER A PARTICULAR PROJECT WILL RESULT IN A SUBSTANTIAL IMPACT ON THE DISTRICT'S ABILITY TO PROVIDE SERVICES TO THE ADDITIONAL STUDENT POPULATION AND TO PREPARE A REPORT TO THE GOVERNING BODY AND THE LOCAL PLANNING COMMISSION DETAILING THE IMPACT AND NEED FOR ADDITIONAL RESOURCES.

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Read the first time and referred to the Committee on Judiciary.

S. 250 -- Senators Rose and Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-6205 SO AS TO PROVIDE A DEFINITION FOR THE TERM "DUI INTERVENTION TEAM" AND TO PROVIDE THAT A LAW ENFORCEMENT AGENCY SHALL RECEIVE ALL FINES THAT ARE ASSESSED AGAINST A PERSON WHO IS ARRESTED BY THE LAW ENFORCEMENT AGENCY'S DUI INTERVENTION TEAM FOR CERTAIN OFFENSES.

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Read the first time and referred to the Committee on Judiciary.

S. 251 -- Senator Elliott: A BILL TO AMEND CHAPTER 1, TITLE 26, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTARIES PUBLIC, SO AS TO PROVIDE FOR DEFINITIONS, QUALIFICATIONS FOR A NOTARIAL

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COMMISSION, SPECIFIC POWERS AND LIMITS ON POWERS OF A NOTARY, DISCLOSURE BY A NONATTORNEY NOTARY AND PROHIBITION OF A NONATTORNEY NOTARY ACTING IN THE UNAUTHORIZED PRACTICE OF LAW, PROHIBITION OF A NOTARY EXECUTING A CERTIFICATE IN A LANGUAGE OTHER THAN ENGLISH, CHARGING OF SPECIFIC FEES FOR SPECIFIC NOTARIAL ACTS, REQUIRED CIRCUMSTANCES UNDER WHICH A NOTARIAL CERTIFICATE MAY BE MADE OR GIVEN BY A NOTARY, MAINTENANCE OF A JOURNAL OF THE NOTARY'S NOTARIAL ACTS, FORMS AND PROCESSES FOR REPORTING CHANGES IN A NOTARY'S STATUS, AND PROHIBITION OF CERTAIN ACTS BY A NOTARY AND CRIMINAL AND ADMINISTRATIVE PENALTIES FOR A VIOLATION.

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Read the first time and referred to the Committee on Judiciary.

S. 252 -- Senators Ford and Leventis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION SHALL ESTABLISH A PROCEDURE BY WHICH A QUALIFIED ELECTOR MAY CAST HIS BALLOT IN PERSON WITHOUT EXCUSE DURING AN EARLY VOTING PERIOD; TO ESTABLISH EARLY VOTING CENTERS TO ALLOW A REGISTERED COUNTY RESIDENT TO VOTE OUTSIDE THEIR PRECINCT; TO PROVIDE FOR THE ESTABLISHMENT OF EARLY VOTING LOCATIONS; TO REQUIRE THAT THESE CENTERS BE OPEN ALL DAY ON THE TWO SATURDAYS WITHIN THE EARLY VOTING PERIOD; AND TO REQUIRE THESE LOCATIONS AND TIMES TO BE IN COMPLIANCE WITH THE PROVISIONS OF SECTION 30-4-80.

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Read the first time and referred to the Committee on Judiciary.

S. 253 -- Senator Fair: A BILL TO AMEND SECTION 40-15-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "PRESCRIPTION" WITH REGARD TO DENTAL TECHNOLOGICAL WORK, SO AS TO DELETE THE REQUIREMENT THAT THE CERTIFICATE NUMBER OF THE INDIVIDUAL OR ORGANIZATION TO PERFORM WORK MUST BE INCLUDED ON THE

TUESDAY, JANUARY 13, 2009

PRESCRIPTION; AND TO REPEAL SECTION 40-15-125 RELATING TO REQUIREMENTS THAT MUST BE MET BY A DENTAL LABORATORY IN ORDER TO PERFORM DENTAL TECHNOLOGICAL WORK IN THIS STATE.

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Read the first time and referred to the Committee on Medical Affairs.

S. 254 -- Senator L. Martin: A BILL TO AMEND SECTION 56-1-176, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SCHOOL ATTENDANCE CONDITIONS ASSOCIATED WITH THE ISSUANCE OF CONDITIONAL AND SPECIAL RESTRICTED DRIVER'S LICENSES, TO PROVIDE THAT THESE AND ADDITIONAL CONDITIONS SHALL APPLY TO THE ISSUANCE OR REINSTATEMENT OF A BEGINNER'S PERMIT, CONDITIONAL DRIVER'S LICENSE, SPECIAL RESTRICTED DRIVER'S LICENSE, AND A REGULAR DRIVER'S LICENSE ISSUED TO A PERSON LESS THAN SEVENTEEN YEARS OF AGE, TO PROVIDE FOR THE SUSPENSION OF A PERSON'S PERMIT OR LICENSE IF HE FAILS TO COMPLY WITH THESE CONDITIONS, AND TO REQUIRE THAT THE SUSPENSION REMAIN IN EFFECT UNTIL THE PERSON HAS DEMONSTRATED COMPLIANCE WITH THESE CONDITIONS FOR ONE FULL SEMESTER SUBSEQUENT TO THE SEMESTER DURING WHICH HIS PERMIT OR LICENSE WAS SUSPENDED.

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Read the first time and referred to the Committee on Transportation.

S. 255 -- Senator L. Martin: A BILL TO AMEND SECTION 56-3-3310 OF THE 1976 CODE, AS AMENDED, RELATING TO THE ISSUANCE OF PURPLE HEART SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT THERE IS NO FEE FOR UP TO TWO LICENSE PLATES AND THE BIENNIAL FEE FOR ANY ADDITIONAL PURPLE HEART LICENSE PLATES IS THE SAME AS THE FEE PROVIDED IN ARTICLE 5, CHAPTER 3 OF THIS TITLE.

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Read the first time and referred to the Committee on Transportation.

S. 256 -- Senators McConnell and Ford: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 11,

TUESDAY, JANUARY 13, 2009

2009, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE COURT OF APPEALS, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 6, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 7, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, WHOSE TERM EXPIRES

TUESDAY, JANUARY 13, 2009

JUNE 20, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 9, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 10, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 4, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015.

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The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

S. 257 -- Senators Knotts, Setzler, Shoopman, Rose, Bryant, Verdin, Grooms, Alexander, Davis, Cleary, Campsen, Fair, Campbell, S. Martin, Bright and Cromer: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE DAVE REHBEIN, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, FEBRUARY 24, 2009.

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The Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 258 -- Senator L. Martin: A CONCURRENT RESOLUTION TO COMMEMORATE THE FIFTIETH ANNIVERSARY OF THE FINAL MISSION OF PROJECT MANHIGH.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 259 -- Senator Jackson: A CONCURRENT RESOLUTION CONGRATULATING THE HONORABLE BERNICE G. SCOTT ON

TUESDAY, JANUARY 13, 2009

THE OCCASION OF HER RETIREMENT FROM THE RICHLAND COUNTY COUNCIL, THANKING HER FOR HER DEDICATION TO THE PEOPLE OF RICHLAND COUNTY, AND WISHING HER WELL IN ALL OF HER FUTURE ENDEAVORS.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 260 -- Senator Elliott: A CONCURRENT RESOLUTION TO COMMEND THE HONORABLE WILLIAM D. "BILLY" WITHERSPOON, OF HORRY COUNTY, FOR HIS SIXTEEN YEARS OF FAITHFUL SERVICE AS A MEMBER OF THE HOUSE OF REPRESENTATIVES, AND TO WISH HIM LIFE'S BEST AND MUCH HAPPINESS IN THE YEARS TO COME.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 261 -- Senator Scott: A SENATE RESOLUTION TO CONGRATULATE MAJOR GENERAL JOHN R. LESTER OF MYRTLE BEACH, COMMANDER OF THE JOINT SERVICES DETACHMENT OF THE SOUTH CAROLINA MILITARY DEPARTMENT, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED MILITARY SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 262 -- Senator Scott: A SENATE RESOLUTION TO CONGRATULATE BRIGADIER GENERAL JAMES MATTHEW HAMMOND, OF ANDREWS IN GEORGETOWN COUNTY, THE DIRECTOR, MEDICAL DIRECTORATE, JOINT SERVICES DETACHMENT OF THE SOUTH CAROLINA MILITARY DEPARTMENT, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED MILITARY SERVICE AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 263 -- Senators Fair, Ford, Anderson, Hayes, Williams, Campbell, Thomas, Lourie, Massey, Ryberg, Pinckney, Sheheen and L. Martin: A

TUESDAY, JANUARY 13, 2009

SENATE RESOLUTION EXPRESSING THE CONGRATULATIONS OF THE MEMBERS OF THE SOUTH CAROLINA SENATE TO MS. CAREN ROSE, VOCATIONAL OFFICE SKILLS INSTRUCTOR AT SARA A. BABB HIGH SCHOOL AT THE CAMILLE GRIFFIN GRAHAM CORRECTIONAL INSTITUTION, ON BEING SELECTED 2008 TEACHER OF THE YEAR FOR THE PALMETTO UNIFIED SCHOOL DISTRICT.

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The Senate Resolution was adopted.

S. 264 -- Senators Shoopman, Fair, Verdin, Thomas, Peeler, S. Martin, Bryant, Grooms, Mulvaney, L. Martin, Campsen, Alexander and Bright: A SENATE RESOLUTION TO COMMEND AND CONGRATULATE SOUTH CAROLINA CITIZENS FOR LIFE, INC. FOR ITS THIRTY-FIVE YEARS OF STRIVING TO CREATE A CULTURE OF LIFE IN THE PALMETTO STATE, IN KEEPING WITH THE INALIENABLE RIGHT TO LIFE AS PROCLAIMED IN THE DECLARATION OF INDEPENDENCE OF THE UNITED STATES.

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The Senate Resolution was adopted.

S. 265 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR REVEREND JOHNNY R. NOBLE UPON THE OCCASION OF HIS INSTALLATION AS PASTOR OF SECOND NAZARETH BAPTIST CHURCH OF RICHLAND COUNTY, AND TO WISH HIM ALL THE BEST AS HE LEADS HIS CONGREGATION.

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The Senate Resolution was adopted.

PRESIDENT *Pro Tempore* PRESIDES

At 2:52 P.M., Senator McCONNELL assumed the Chair.

REPORTS OF STANDING COMMITTEES

Invitations

On motion of Senator KNOTTS with unanimous consent, the following invitations were unanimously polled from the Committee on Invitations with a favorable report, and ordered placed on the Calendar:

TUESDAY, JANUARY 13, 2009

The following polling sheet represents each invitation that was polled from the Committee:

**Poll of the Invitations Committee
Polled 10; Ayes 10; Nays 0; Not Voting 0**

AYES

Knotts	Alexander	McGill
Reese	O'Dell	Elliott
Ford	Verdin	Campsen
Cromer		

Total--10

NAYS

Total--0

Tuesday - January 13, 2009 - 6:00-7:30 pm
Members of the Senate, Reception, Marriott Hotel, by the
SC BANKERS ASSOCIATION

Wednesday - January 14, 2009 - 8:00-10:00 AM
Members of the Senate, clerks and attaches, Breakfast, Room 112 of
the Blatt Building, by the AMERICAN CANCER SOCIETY

Wednesday, January 14, 2009 - 12:00 - 2:00 PM
Members of the Senate, Luncheon, Room 112 of the Blatt Building, by
the NATIONAL FEDERATION OF THE BLIND OF SOUTH
CAROLINA

Wednesday, January 14, 2009 - 6:00 - 8:00 PM
Members of the Senate, reception, Columbia Marriott, by the
SC CHAMBER OF COMMERCE

Thursday - January 15, 2008 - 8:00 - 10:00 AM
Members of the Senate, clerks and attaches, Breakfast, Room 112 of
the Blatt Building, by the SC SPEECH-LANGUAGE-HEARING
ASSOCIATION

TUESDAY, JANUARY 13, 2009

Tuesday - January 27, 2009 - 6:00-8:00 PM

Members of the Senate, clerks and attaches, Reception, Capital City Club, by the SC ASSOCIATION OF TECHNICAL COLLEGE COMMISSIONERS

Tuesday - January 27, 2009 - 7:00-9:00 PM

Members of the Senate, clerks and attaches, Reception, Palmetto Club, by the SC ECONOMIC DEVELOPERS ASSOCIATION

Wednesday - January 28, 2009 - 8:00-10:00 AM

Members of the Senate, clerks and attaches, Breakfast, Room 112 of the Blatt Building, by SC ASSOCIATION OF NURSE ANESTHETISTS

Wednesday - January 28, 2009 - 12:00-2:00 PM

Members of the Senate, Lunch, State House Grounds, by the SC BAPTIST ASSOCIATION

Wednesday - January 28, 2009 - 6:00-8:00 PM

Members of the Senate, clerks and attaches, Oyster Roast and Frogmore Stew, Clarion Hotel, by the CLARION HOTEL

Thursday - January 24, 2009 - 8:00-10:00 AM

Members of the Senate, Breakfast, Room 112 of the Blatt Building, by the SC ASSOCIATION OF CHRISTIAN SCHOOLS

Committee to Inform the Governor

The PRESIDENT appointed Senators CAMPSSEN, DAVIS and RYBERG to inform the Governor that the Senate was organized and was ready to proceed with business.

Committee to Inform the House

The PRESIDENT appointed Senators MULVANEY, SHOOPMAN and PINCKNEY to inform the House of Representatives that the Senate was organized and was ready to proceed with business.

TUESDAY, JANUARY 13, 2009

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of former Representative Olin Phillips of Gaffney, S.C., our colleague and friend. Representative Phillips was a beloved husband, devoted father, doting grandfather and great-grandfather. He was the second longest serving member of the South Carolina House of Representatives -- a 16 term Democrat representing District 30 since 1979.

and

MOTION ADOPTED

On motion of Senator LEVENTIS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Rosa Weinberg Schwartz, wife of Ramon Schwartz Jr. Mrs. Schwartz passed away on Friday, Dec. 26, 2008. She was a beloved and lifelong member of the Episcopal Church of the Holy Comforter where she was active for many years in the Episcopal Church Women (ECW) and as a Sunday school teacher. Mrs. Schwartz was honored at a special Sunday worship service in 1988 for her years of service to the Episcopal Church of the Holy Comforter and was presented with an original painting of the church commissioned in her honor. Our world is a brighter place because of Rosa Schwartz, and she will be deeply missed by her family, friends, and the many people whose lives she touched throughout her life.

and

MOTION ADOPTED

On motion of Senator COURSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Sara Rogers Phibbs of Columbia, S.C., beloved wife of the late John A. Phibbs, former Assistant Principal of Palmetto High School, and devoted mother of Elizabeth "Beth" Ann Phibbs.

and

TUESDAY, JANUARY 13, 2009

MOTION ADOPTED

On motion of Senator CLEARY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Bill Viers of Horry, S.C., beloved father of Representative Thad T. Viers.

and

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. R. C. Baker, former president of Clemson University.

and

MOTION ADOPTED

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Loupenn Williamson of Marion, S.C.

and

MOTION ADOPTED

On motion of Senator COURSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of former Senator Marshall Joyner Parker of Seneca, S.C., who passed away November 15, 2008. Senator Parker served his country as a U. S. Marine, senator and within the Republican Party and he is considered to be one of the “founding fathers” of the state’s technical college system.

and

TUESDAY, JANUARY 13, 2009

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jasiri L. K. Whipper of Charleston, S.C., beloved son of Representative J. Seth Whipper.

and

MOTION ADOPTED

On motion of Senator PINCKNEY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Ernest White of Hardeeville, S.C., beloved husband of former Representative Juanita White.

ADJOURNMENT

At 2:52 P.M., on motion of Senator MARTIN, the Senate adjourned to meet tomorrow at 2:00 P.M.

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